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ABSTRACT

The study presents an analysis of the inception and implementation of the Florida law governing college student activity fees. After an introduction and review of the literature, it is explained that the data were obtained through focused research interviews with 41 participants. The following four conclusions were reached: (1) the student governments' reduced authority for the allocation of the student activity fee was the major incident that led to the inception of the activity fee legislation; (2) the political strategy of daisy-chaining or bill-riding the language of the acitivty fee bill insured the bill's passage on the last day of the 1974 legislative session; (3) procedures used by student governments to implement the activity fee bill during the fiscal year 1975-1976 were generally consistent at the nine state universities; and (4) the recommended changes or additions to Chapter 74-312(3), Law of Florida (student activity fee) ranged from no change in the statute to separating the activity fund into two separate and distinct allocations. Extensive appendices include such items as the interview schedule, letters, a case study, memoranda, and copies of legislation, including Law of Florida 74-312(3). An approximately 180-item bibliography is included. (Author/PHR)

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THE FLORIDA STATE UNIVERSITY

COLLEGE OF EDUCATION

THE ROLE OF STUDENTS IN THE INCEPTION AND IMPLEMENTATION OF CHAPTER 74-312(3), LAWS OF FLORIDA (STUDENT ACTIVITY FEE), 1974 TO 1976

by
JOSEPH EDWARD KAPLAN

A Dissertation submitted to the Area
of Educational Management Systems,
Program of Design and Management of
Postsecondary Education, in partial
fulfillment of the requirements for
the degree of Doctor of Philosophy

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THE ROLE OF STUDENTS IN THE INCEPTION AND IMPLEMENTATION OF CHAPTER 74-312(3), LAWS OF FLORIDA (STUDENT ACTIVITY FEE), 1974 to 1976

E. Joseph Kaplan, Ph.d.
Florida State University, 1977

Statement of the Problem

The purpose of this study is to analyze the inception and implementation of Chapter 74-312(3), Laws of Florida (Deposit of Funds received by institutions and agencies in the State University System of Florida, student activity fee).

The following structural questions were addressed by this study:

1. What were the critical questions that led to the inception and passage of Chapter 74-312(3), Laws of Florida?

2. What procedures are being used by the nine state universiites to implement Chapter 74-312(3), Laws of Florida?

3. What changes should be made in Chapter 74-312(3), Laws of Florida?

Significance of the Study

The significance of the study focused on the unique status of Chapter 74-312(3), Laws of Florida (student activity fee). This law, as passed by the Florida legislature in 1974, was the first state statute in the United States that specifically addressed the student government association's responsibility for the allocation and expenditure of a student activity fee at a public or private university.

Review of Related Literature

The literature reviewed related to the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida. The areas that are addressed in the literature review include: (1) students and the contemporary university system; an overview of their effect on the formation of institutional policy and (2) student lobbying. These two areas illustrate methods that university students utilize to influence policies and decisions made within institutions of higher education.

Procedures

The research methods utilized to study this law were (1) the focused research interview and (2) the critical incident technique. Forty-one respondents were interviewed by this investigator. The respondents were divided into two groups, (1) Inceptors and (2) Implementors. An Inceptor was an individual who was identified or cited at least three times in one or more of the following: (1) a legislative committee report, (2) a State University System memorandum, or (3) a state or student newspaper article. This identification or citation dealt specifically with the inception and/or passage of this law. An Implementor was an individual who (1) had been designated by the president of one of the nine state universities to assist, advise, or supervise the allocation and expenditure of the student activity fund of the officially elected student government association or (2) had been officially elected or appointed to the position of president or chairperson of the officially recognized student government association. There were twelve Inceptors and twenty-nine Implementors who consented to participate in the study.

Three Interview Schedules were designed by the investigator to provide information on the three structural questions cited as the purpose of the study. The three Interview Schedules were administered to the forty-one respondents over a two month period.

Conclusions

An inquiry into the genesis of Chapter 74-312(3), Laws of Florida, suggests several conclusions which address the three structural questions cited in the study. These questions preceded from the concern about the important factors which led to the inception and passage of the law, about the procedures in use by the nine state university student governments to implement the law, and about the need for policy analysis of potential changes in and alternatives to the law. In the process of describing the development of the legislation, the investigator concluded that particular conditions of the legislative context shaped the purpose for, objectives of, and methods by which this law was developed.

Structural Question One

The first structural question cited in the study addressed the critical incidents that led to the inception and passage of Chapter 74-312(3), Laws of Florida. Based on the findings of the study, it was concluded that the critical incidents were:

1. The activities of student lobbyists and student governments' reduced authority for the allocation of the student activity fee led to the drafting of the original activity fee legislation.

2. The "York-Gordon" compromise, introduced during the Senate Ways and Means Committee hearings, insured a favorable vote of the committee on the student activity fee legislation.

3. The political strategy of daisy-chaining or bill riding guaranteed that the student activity fee legislation would be heard by the full senate and house during the

regular 1974 legislative session.

4. The consideration of the daisy-chained credit card and student activity fee bill on the last day of the 1974 session increased the likelihood that the bill would be heard and pass the full house and senate.

Structural Question Two

The second structural question cited in the study addressed the procedures used by the nine state universities to implement the law. The procedures which the nine state universities have designed to implement the law are particular to each university. However, upon closer examination, the investigator concluded that these distinctive procedures constitute clear-cut processes. One of these is a budget building and allocation process. Another is a review process. Still another is an administrative process; finally there is to be considered in all the procedures and the interaction of the procedures a political process.

Structural Question Three

The third structural question cited in the study addressed the changes, if any, which should be made in the law. The changes recommended by the forty-one respondents suggest issue convergence. This convergence occurs in the authority the student government and the university president have over the usage of the activity fee funds, ambiguity of authority over the activity fee funds, the division of the activity fee budget entities, the special role of the educational centers and branch campuses, and the admissions clause.

CHAPTER I

INTRODUCTION

Chapter 74-312(3), Laws of Florida (student activity fee), was one of a series of six statutory amendments passed in Florida that dealt with the establishment of tuition, room and board, fees, and activity fund at the public universities. The first Florida statute that referred to tuition and board was passed in 1905, under Chapter 5381, Section 24, Laws of Florida. Section 24 of Chapter 5381 established statutory authority for the development of tuition and board for institutions of higher learning. The section reads:

> In case of the admission of students to either the said university or college from other states, the same may be admitted by and with the consent and upon the certificate to the Board of Control upon such terms as to tuition, board, etc., as the said board may from time to time establish.[1]

From 1905 to 1953 there were no statutory amendments passed that affected the terms of tuition and board established by Chapter 5381, Section 24, Laws of Florida. The first statutory reference to a student activity fund was passed in 1953 and is found in Chapter 28315, Laws of

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[1] Laws of Florida, Chapter 5381, Section 24.

Florida, House Bill No. 807. Chapter 28315, Laws of Florida, reads as follows:

> All funds received by the university of Florida, the Florida state university and the Florida agricultural and mechanical university from whatever source received and for whatever purpose shall be deposited in the state treasury . . . the following funds shall be exempt from the provisions of this section:
>
> a. Student Deposits.
> b. Student Activity Funds.
> c. Scholarship Funds.
> d. Loan Funds.
> e. Deposit Funds.
> f. Contractor's Bid Deposits.
> g. Campus Concession.
> h. Federal Point IV Program.
> i. Athletic Fees.
> j. All funds received from gifts, grants, . . .[1]

Prior to 1959 tuition and board were established by the Board of Control. In 1959, Chapter 239, Florida Statutes,[2] was amended to include a section that provided for approval by the Florida legislature for the registration, tuition, and course fees recommended by the Board of Control. The section reads as follows:

> The Board of Control shall each biennium recommend to the legislature the types and amounts of registration fees, tuition fees, and course fees which shall be charged and collected from all students as provided in §239.02, in the respective state universities . . . the legislature shall consider

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[1] Laws of Florida, Chapter 28315.

[2] The Laws of Florida were renumbered by the Florida legislature in 1956. All sections that dealt with institutions of higher learning prior to 1956 were incorporated into Chapter 239, Florida Statutes.

> the recommendations and shall approve, alter, amend or change in any manner it determines to the best interest of the state the types of said fees.[1]

Chapter 240, Florida Statutes,[2] was amended in 1965 to include the language and intent of Chapter 5381, Section 24, Laws of Florida. Section 240.0511, Florida Statutes, states the following:

> The Board of Regents[3] is invested with full power and authority to make all rules and regulations governing admissions of students into the state university system.[4] Such rules and regulations shall include, but not be limited to educational requisites, amount of registration fees, tuition fees, activity fees, board, etc., as the said board may from time

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[1] Florida Statutes, Section 239.002.

[2] The Florida Statutes were renumbered in conjunction with the reorganization of the Board of Control by the Florida legislature. Chapter 239, Florida Statutes, was changed to Chapter 240, Florida Statutes.

[3] In 1964, the Board of Control was renamed the Board of Regents by the Florida legislature. The Board of Regents is the official governing board of the state universities and is under the general supervision of the State Board of Education. Comprehensive Development Plan (CODE), Office of the Florida Board of Regents, December 1969, p. 3.

[4] The State University System of Florida consists of nine universities, whose rules, regulations, and policies are established by the Board of Regents. The nine universities maintain main campuses at the following locations in Florida: University of Florida at Gainesville, Florida State University and Florida Agricultural and Mechanical University at Tallahassee, University of South Florida at Tampa, Florida Technological University at Orlando, Florida Atlantic University at Boca Raton, University of West Florida at Pensacola, University of North Florida at Jacksonville, and Florida International University at Miami. Comprehensive Development Plan (CODE), Office of the Florida Board of Regents, December 1969, p. 15.

to time deem necessary.[1]

Between 1965 and 1974 there were no statutory amendments to Chapter 240, Florida Statutes, that directly or indirectly dealt with tuition, room and board, fees, or the activity fund. In 1974, the Florida legislature established national precedence with the passage of Chapter 74-312(3), Laws of Florida (see Appendix R for text of Chapter 74-312[3], Laws of Florida). This section of the Laws of Florida gave the student government association at the nine state universities the responsibility and authority for the allocation and expenditure of the student activity fund.[2]

Prior to the passage of Chapter 74-312(3), Laws of Florida, the student activity fund was allocated by the university administration at each institution in the State University System (SUS). The allocation procedure generally included a university-wide budget committee composed of faculty, students, administration, and staff.

The student activity fund appropriations for 1976-77 ranged from a low of $322,309[3] at the University of North Florida, to a high of $2,591,872[4] at the University of

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[1] Florida Statutes, Section 240.0511.

[2] Laws of Florida, Chapter 74-312(3).

[3] J. R. Hirt to B. Michael Andreu, Controller, "1976-77 Budget Allocations--Activity and Service Fee" (memorandum), University of North Florida, 2 July 1976.

[4] Student Body of the University of Florida, "Recommended Allocations--Activity and Service Fee, FY 1976-77, Student Body Law No. 76-134" (memorandum), 26 April 1976.

Florida. The implementation of Chapter 74-312(3), Laws of Florida (student activity fee), caused certain administrative, judicial, and procedural events and reactions:

1. The University of South Florida (USF) vice president for student affairs and university development has interpreted the recent ruling of the District Court of Appeal of Florida (The University of South Florida Student Government, an unincorporated association v. Frances V. Trundle--see Appendix A for ruling of the District Court of Appeal) to mean that "the university president can reallocate from one account to any specific account in the budget he chooses."[1]

2. The student government at the University of North Florida questioned an over-projection in the fall enrollment figures of their university which caused a student activity fund budgetary shortfall of $44,964. The budget shortfall forced student government to curtail some planned activities for the spring quarter 1976.[2]

3. The student government association at the Florida International University rewrote the Health Clinic contract for the university. This new contract provided increased services to students and more effective allocation and

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[1] Ellen Hampton, "SG, USF Administration Split on 'Final Authority,'" Tampa Oracle, University of South Florida student newspaper, 5 August 1976, p. 1.

[2] "SG Has Need for $44,964.19," Jacksonville Halyard, University of North Florida student newspaper, 10 May 1976, p. 1.

expenditure of the student activity fee.[1]

4. The vice president for student affairs at the University of Florida stated that "our students have done a superb job of working with the activity fee statute . . . here (University of Florida) the students have shown very mature judgment with regard to the activity fund allocations."[2]

In 1976, the final amendment that dealt with the establishment of tuition, room and board, fees, and activity fund at the public university, passed in Florida. Section 240.062, *Florida Statutes*, was amended to read:

> *Approval of fees by the legislature*.--The types and amounts of registration fees and tuition fees, including all component fees thereof, shall be submitted to the legislature for approval, at least 30 days before the convening of each regular session. The legislature shall consider such fees and may alter, amend, or change them in any manner it deems to be in the best interest of the state, and shall by concurrent resolution approve the fees as submitted by the board as amended.[3]

Section 240.062, *Florida Statutes*, requires the Florida legislature to vote on any change in public university fees recommended by the Board of Regents before the change can take effect.

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[1] "Health Clinic Contract Questioned," *Miami Good Times*, Florida International University student newspaper, 15 April 1976, p. 2.

[2] Susan Taylor Martin, "Officials Question Student Activity Fee Law," *Tampa Tribune*, 13 July 1976, p. 27.

[3] *Florida Statutes*, Section 240.062.

Statement of the Purpose

The purpose of this study was to analyze the inception and implementation of Chapter 74-312(3), Laws of Florida (Deposit of funds received by institutions and agencies in the State University System of Florida, student activity fee).

The following structural questions were addressed by this study:

1. What were the critical incidents that led to the inception and passage of Chapter 74-312(3), Laws of Florida?
2. What procedures are being used by the nine state universities to implement Chapter 74-312(3), Laws of Florida?
3. What changes should be made in Chapter 74-312(3), Laws of Florida?

Significance of the Study

The significance of the study focuses on the unique status of Chapter 74-312(3), Laws of Florida (student activity fee). This law, as passed by the Florida legislature in 1974, was the first state statute in the United States that specifically addressed the student government association's responsibility for the allocation and expenditure of a student activity fee at a public or private university.

This study was designed to (1) document the events and people who had an effect on the inception and passage of Chapter 74-312(3), Laws of Florida, (2) delineate the procedures that were used by the nine state universities to implement Chapter 74-312(3), Laws of Florida, and (3) identify the recommended changes in the law.

This documentation of the events and people who had an effect on the inception and passage of Chapter 74-312(3), Laws of Florida, (1) would provide a comprehensive accounting of this unique state statute, and (2) would be of benefit to other universities and states contemplating similar legislation. The results of this study could serve as a primary research document for an evaluative study that could be conducted on the effects and merits of Chapter 74-312(3), Laws of Florida (student activity fee). The identification of the recommended changes in Chapter 74-312(3), Laws of Florida, could provide valuable information to the Florida Department of Education, the Florida legislature and the Florida Board of Regents.

Conceptual Framework

The theoretical framework for this study is found in three statements published between 1966 and 1970. The first statement was published in 1966 and entitled "Statement on Government of Colleges and Universities." This statement, jointly formulated and issued by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges, addressed the issue of student participation and authority:

> Ways should be found to permit significant student participation and authority within the limits of attainable effectiveness. The obstacles to such participation and authority are large and should not be minimized: inexperience, untested capacity, a transitory status which means that present action does not carry with it subsequent responsibility, and the inescapable fact that the other components of the institution are in a position of judgment over the students. It is important to recognize that students' needs are strongly related to educational experience both formal and informal. Students expect, and have a right to expect, that the educational process will be structured, that they will be stimulated by it to become independent adults.[1]

The second statement, published in 1967 and entitled "Joint Statement on Rights and Freedoms of Students," was drafted by representatives from the American Association of University Professors, the Association of American Colleges, the U. S. National Student Association, the National Association of Student Personnel Administrators, and the National Association of Women Deans and Counselors.[2] This statement is based on the premise that students as members of the academic community have a distinctive role which qualifies them to share in the exercise of responsible authority on campus; the exercise of that authority is part of their education.[1] As an important component of the total educational process, the "Joint Statement" points out that "the student body should have clearly defined means to participate in the formation and application of institutional policy affecting academic and student affairs."[2]

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[1] Louis Joughin, ed., American Freedom and Tenure: A Handbook of the American Association of University Professors (Madison: University of Wisconsin Press, 1967), p. 100.

[2] "Joint Statement on Rights and Freedoms of Students," American Association of University Professors Bulletin, 23 June 1967, p. 1.

The third statement, "Draft Statement of Student Participation," was published in 1970 and prepared by Committee T on College and University Government of the American Association of University Professors, and states:

> Students should have a voice, sometimes the predominant voice, in decisions which affect them, and their opinions should be regularly solicited even in those areas in which they hold a secondary interest.[3]

Assumptions

The following assumptions are made with regard to this study:

1. The Inceptors and Implementors interviewed provided information which was, to the best of their recollection, accurate

2. The Florida legislative committee reports, State University System intra and inter-institutional memoranda, and the student and regional newspaper articles

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[1] Ibid., p. 4.

[2] Ibid., p. 2.

[3] "Draft Statement of Student Participation in College and University Government," American Association of University Presidents Bulletin 35 (Spring 1970): 33.

utilized in the study provided accurate information.

Limitations

The following limitations are made with regard to this study:

1. This study was concerned with those critical incidents that had a bearing on the inception and passage of Chapter 74-312(3), Laws of Florida

2. This study was not a history of the political legislation of the 1974 Florida legislative session

3. This study included the period from the drafting and the introduction of the bill in April, 1974, through the implementation of the first complete fiscal period, which concluded on June 30, 1976

4. This study was not intended to evaluate the merit, influence, or effectiveness of Chapter 74-312(3), Laws of Florida

5. The interview results were limited to personal knowledge of the interviewee of the events surrounding the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida

6. The legislative committee reports utilized were limited to the available published summaries of the committee activities for 1974.

Definition of Terms

The following definitions were used for the purpose of this study:

1. Student activity fee--as affirmed by the Laws of Florida, the student activity fee is a component of the registration and tuition fee with amounts approved by the Florida legislature . . . the fee is paid into a student activity fund at each state university, to be expended for lawful purposes to benefit the student body in general[1]

2. Laws of Florida--a public document promulgated for the purpose of informing the public of acts passed by one session of the legislature of the state of Florida

3. Inceptor--an individual who was identified or cited at least three times in one or more of the following: (1) a legislative committee report, (2) an SUS memorandum, or (3) a state or student newspaper article. This identification or citation dealt specifically with the inception and/or passage of Chapter 74-312(3), Laws of Florida

4. Implementor--an individual who (1) had been designated by the president of one of the nine universities in the State University System of Florida to assist, advise, or supervise the allocation and expenditure of the student activity fund of the officially elected student government association, or (2) had been officially elected or appointed to the position of president or chairperson of the officially recognized student government association

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[1] Laws of Florida, Section 74-312(3).

5. Critical incident--a verbal description of a unique, observed situation or technique which can be used to make inferences and judgments concerning the subject under investigation[1]

6. Interview schedule--a guide which sets forth the major areas of inquiry and provides criteria of relevance for the interview data[2]

7. State University System (SUS) of Florida--consists of the nine universities, whose rules, regulations, and policies are established by the Florida Board of Regents.[3]

Summary

This chapter contains an introduction to the statutory amendments passed in Florida that dealt with the public universities' tuition and fees; statement of the purpose; significance of the study; a conceptual framework; assumptions and limitations; and definitions of terms used in the study. The four remaining chapters in this study are as follows:

1. Chapter II--Review of Related Literature
2. Chapter III--Procedures

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[1] John C. Flanagan, "The Critical Incident Technique," Psychological Bulletin 51 (July 1954): 355.

[2] Robert K. Merton, Marjorie Fiske, and Patricia L. Kendall, The Focused Interview (Glencoe, IL: The Free Press, 1956), p. 4.

[3] Comprehensive Development Plan (CODE), Office of the Florida Board of Regents, December 1969, p. 15.

3. Chapter IV--Data Presentation and Analysis

4. Chapter V--Summary, Interpretive Conclusions, and Recommendations.

CHAPTER II

REVIEW OF RELATED LITERATURE

This section summarizes literature related to the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida. The areas that are addressed in the literature to be reviewed include: (1) students and the contemporary university system: an overview of their effect on the formation of institutional policy, and (2) student lobbying. These two areas illustrate methods that university students utilize to influence policies and decisions made within institutions of higher education.

Students and the Contemporary University System: An Overview of their Effect on the Formation of Institutional Policy

The 1967 "Joint Statement on Rights and Freedoms of Students" states:

> As constituents of the academic community students should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body should have clearly defined means to participate in the formation and application of institutional policy affecting academic and student affairs.[1]

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[1] "Joint Statement on Rights and Freedoms," p. 2.

This section will provide an overview of the literature on the effect of students in the formation of institutional policy.

An early example of the effectiveness of students in the formation of institutional policy is recorded in 1921 at Barnard College. Student committees, without administrative support and recognition, were formed for the purpose of submitting reports and recommendations on curriculum, instruction, and administrative policies of their college. The primary product of the student committees at Barnard College was a series of seventeen reports, distributed on campus between 1922 and 1930.[1]

An example of the university student's effect on the formation of institutional policy, with administrative support and recognition, occurred at Antioch College in 1921. Under the leadership of Dr. Arthur E. Morgan, the curriculum was established around an individual, self-directed plan of study with few class meetings and no required attendance. The governing body at Antioch, the Community Council, was initiated by a group of students in 1926. The composition of the Community Council was six students and three faculty or administrative staff members, elected by preferential voting with weighted ballots of students, faculty, and administrative staff.[1]

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[1] Leslie Patton, "Undergraduate Student Reports," Journal of Higher Education 3 (June 1932): 285-293.

The Community Council at Antioch was an organization through which faculty, administrative staff, and students planned and carried out "the kind of group life they deserved to have."[2] The Community Council was a "laboratory in democracy which made use of the group as a place to work out and practice democratic methods.[3] Among the objectives of the Community Council were the following:

1. To teach the student body ethical attitudes in human relationships

2. To make students habitually sensitive to the welfare of the community as a whole

3. To give students the motivation for and practice in creative participation in community life

4. To teach students the techniques of the democratic method of self government.[4]

In 1927, in an attempt to provide students with an opportunity to participate in university governance, Muskingum College went through a major reorganization. It was a small, conservative, church-controlled college with many restrictive social policies.[1] In order to meet the changing needs of its student body and to change its restrictive social policies, a general committee was formed. This committee consisted of sixteen students, sixteen faculty, and six trustees whose main purpose was to recommend changes in the social policies of the college.[2]

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[1] A. D. Henderson and Dorothy Hall, Antioch College: Its Design for Liberal Education (New York: Harper and Brothers, 1946), pp. 41-53.

[2] Ibid., p. 145.

[3] Ibid., p. 151.

[4] Ibid., p. 152.

Another example of the university student's effect on the formation of institutional policy is found in the area of financial management of campus activities. In 1930, Noble made the following comments:

> There are innumerable ways in which students at school can take part in the necessary work of the institution and in assisting each other. Administering and recording the financial transactions of the associated student body is one of the most important. Taxing the student body for the purpose of successfully carrying out activities for the general welfare of the community of which the student is a part, the necessity of making receipts and expenditures balance, the equity of dealing fairly with all types of activities, the importance of studying financial statements in order to wisely plan future procedure, are problems which students will later meet in their public, business, and private lives. Educators cannot afford to miss this opportunity of helping students learn by doing.[3]

Falvey notes that in 1931, at Stanford University, control of student organizations and their finances had been centralized in the hands of the Executive Committee of Associated Students.[1]

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[1] Frances E. Falvey, Student Participation in College Administration (New York: Bureau of Publications, Teachers College, Columbia University, 1952), pp. 14-32.

[2] Ibid., p. 45.

[3] L. S. Noble, "Student Body Finance and Accounting," quoted in Frances E. Falvey, Student Participation in College Administration (New York: Bureau of Publications, Teachers College, Columbia University, 1952), pp. 65-66.

In 1939, Haggerty and Brumbaugh conducted a study on the problems of the student personnel worker in accredited institutions of higher education with information gathered during 1937-38.[2] In response to one of the questions in the Haggerty-Brumbaugh study, "Are students members of any administrative boards or committees?" 232, or 32 percent, of the accredited institutions answered in the affirmative.[3] The study further found that of the various activities and functions reported to be controlled in some measure by students, the following were mentioned most frequently:

> athletics, student publications, general student activities, social and recreational activities, chapel and religious activities, convocations and assemblies, and discipline. Student participation is most generally provided for by the appointment or election of student members to institutional committees.[4]

Several factors have affected the scope of the student's effect on the formation of institutional policy on the university campus since World War II. The first was the influx of World War II veterans. According to Williamson,

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[1] Falvey, Student Participation, p. 66.

[2] W. J. Haggerty and A. J. Brumbaugh, "The Student in College and University Administration," North Central Association Quarterly 14 (1939): 201-226.

[3] Ibid., p. 210.

[4] Ibid., p. 220.

"veterans, who were older and more mature than the usual undergraduate, demanded the sort of arbitration-negotiation relationship to which they had been accustomed."[1]

The second factor was the establishment of the United States National Student Association in 1946. This organization had successfully encouraged student interest in campus, national, and international affairs. One of the major objectives of the United States National Student Association had been to develop substantive activities by student government in the area of policy participation.[2]

The third factor was related to the report of the President's Commission on Higher Education, which was released in 1947. The 1947 President's Commission is often cited for its emphasis on leadership for democracy and the contribution of student programs in college to this objective.[3]

> If our colleges and universities are to graduate individuals who have learned to be free, they will have to concern themselves with the development of self-discipline as a guide for

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[1] E. G. Williamson, "The Need for Consultation Between Students and Administration," College and University 26 (April 1951): 326.

[2] Harry H. Lunn, Samuel B. Gould, and Ferrel Heady, "To What Extent Can Administration Involve Faculty and Student Participation and Still Be Efficient?" Current Issues in Higher Education 24 (1959): 166-7.

[3] President's Commission on Higher Education, Higher Education for American Democracy, Vol. 1: Establishing the Goals (Washington, DC: U. S. Government Printing Office, 1947), p. 103.

> conduct, of sensitivity to injustice and inequality, of insight into human motives and aspirations . . . responsibility for the development of these personal qualities cannot be left as heretofore to some courses or a few departments or scattered extra-curricular organizations; it must become part of every phase of college life.[1]

To achieve such practice in democratic action, the President's Commission stated that "revision of administrative policies may be necessary to give students every possible experience in democratic processes within the college community."[2]

The 1950s was a period of rising concern on the part of the faculty, students, and administration toward the student's role in college policy-making. Much of this concern was the result of the United States National Student Association, which communicated the concern of the student for the quality of the curriculum, the level of student performance, the need for substantive extra-curricular activities, and the need to improve the intellectual climate in residence halls.[3]

Gradual progress toward increasing student participation in the formation of institutional policy was shown throughout the 1950s. The traditionally held objectives for the inclusion of student government within an academic community, namely, training for citizenship and social responsibility, remained the underlying rationale for increased student participation.[1]

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[1] Ibid., p. 105.

[2] Ibid., p. 107.

[3] Lunn et al., "To What Extent," p. 167.

The Civil Rights movement of the 1960s brought new meanings to the words "citizenship and social responsibility" for the American college student. Since the advent of the Civil Rights movement, a concept of "the new student" has emerged.[2] Cutler, in his 1966 article on the new student role in academic society, stated that "through the lessons of Greensboro, Selma, Oxford, and Columbia, the new student has learned to perceive himself as an agent of social change."[3]

There has been a complexity of issues surrounding student unrest in the 1960s. For example, some of the issues were special educational programs for minority groups, institutional student disciplinary practices, U. S. Military policy, special admissions policies for minority groups, and student participation in governance.[4] As reported by Bayer and Astin, a survey of 427 institutions of higher education indicated that greater student participation in decision-making was one of the most prevalent of the specific issues on campuses that had violent protests and those that had non-violent disruptive protests.[1]

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[1] Ibid., p. 169.

[2] Janice Abel, "The Impact of Student Participation in University Governance as Perceived by Students" (Doctoral dissertation, Indiana University, 1972), p. 8.

[3] Richard L. Cutler, "The New Role of the Student in the Academic Society," Current Issues in Higher Education (1966), pp. 154-55.

[4] A. E. Bayer and A. W. Astin, "Violence and Disruption on the U. S. Campus, 1968-69," Educational Record 50 (Fall 1969): 337-350.

During the early 1970s, students on American campuses gained more formal authority in decision-making on a wide range of academic issues, which included:

> admissions standards; the retention of students; decisions as to curricula, the offering of courses, methods of grading, process of appeal on grades; a myriad of logistical questions and the condition of the academic environment and the evaluation of professors and courses.[2]

Another example of the student's role in the 1970s is illustrated by student membership on boards of trustees. In 1972, according to the American Council on Education, 14 percent of America's colleges had students on their governing boards; 58 percent of these did not allow students to vote.[3] More recently, students have been pressing for a role on statewide boards of control, since state systems have resulted in more centralized decision-making.[1]

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[1] Ibid., p. 169.

[2] John J. Corson, The Governance of Colleges and Universities--Modernizing Structure and Processes (New York: McGraw-Hill Book Company, 1960), p. 143.

[3] "On the Campuses: 14% of Colleges Have Students as Trustees," Chronicle of Higher Education, 13 November 1972, p. 1.

In the mid-1970s the emergence of faculty unions, shifting controls of college governance, and tight fiscal allocations for higher education have caused students to find more effective methods of influence on the formation of institutional policy.[2] The effect of student lobbying on local and national legislation is a method that is being used by students to influence institutional policy.

Student Lobbying

A method that students are using in the mid-1970s to affect policies and decisions made within institutions of higher education is in the area of state and national student lobbying.[3] Student lobbying can be defined as the attempt of college students to influence local, state, and national lawmakers in legislative and policy-making decisions.[4] The lobbies are organized, supported, and operated by students for student constituencies. They exist to monitor bills and voting records, set priorities for the bills to be passed, keep in communication with legislators and their staffs, develop and circulate position papers, maintain contact with their constituents, and effect coalitions with other groups whose interests may coincide with those of students.[1]

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[1] "In the States: Nebraska Voters to Decide on Students as Regents," Chronicle of Higher Education, 4 March 1974, p. 6.

[2] E. S. Kellams, Sources of Student Influence, ERIC Research Report No. 2 (Washington, DC: American Association for Higher Education, 1975), p. 20.

[3] Ibid., p. 25.

[4] Jay Klamon, Lobbying: A Guide for Students (Washington, DC: United States National Student Association, 1975), p. 7.

Prompted by the need for a national student voice, the National Student Lobby was organized in 1971.[2] This organization is a nonprofit, nonpartisan organization that lobbies and testifies in Congress on student related issues. Membership in the National Student Lobby is open to any college or university in the United States upon payment of an affiliation fee, which is based on the student enrollment at the individual institution. Financing for this organization comes from student government associations at several hundred colleges around the country.[3]

During its first year of operation in 1971, the National Student Lobby's membership included 136 colleges in 37 states.[4] By 1973, this organization had some 220 colleges as fee paying members represented at the national level by their individual student government officers.[5] The priorities outlined by the National Student Lobby in 1971 dealt with the United States' involvement in the Vietnam war, civil rights, and other national issues.[1] The National Student Lobby's 1975 priorities were:

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[1] Ibid., p. 8.

[2] Ibid., p. 9.

[3] Ibid., p. 11.

[4] Robert L. Jacobson, "Fatigue in the 70s has taken over, say the Delegates of the Student Congress," Chronicle of Higher Education, 28 August 1972, p. 4.

[5] Ibid., p. 4.

1. Obtaining full funding for the Basic Educational Opportunity Grant

2. Insuring student participation in the administration of student aid programs

3. Obtaining coverage for students and recent graduates under Public Employment Programs

4. Guaranteeing that students would be classified and receive the same allotment as "workers" in the event of fuel allocation and wage/price controls.[2]

In addition to its national lobbying efforts on student-related issues, the National Student Lobby also serves as a consultant to state lobbies on questions of their organization and management. For example, this organization offers advice on such matters as student participation on state governing boards and student organization of a voter registration drive.[3] The National Student Lobby also co-sponsors regional workshops on the following:

1. How to organize a student lobby

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[1] National Student Lobby, "The Student Lobby Annex Handbook," Washington, DC, 1975, p. 8. (Mimeographed.)

[2] Ibid., p. 11.

[3] Ibid., p. 11.

2. How students can become more effective lobbyists

3. How to increase student participation in local campus governance

4. How collective bargaining affects students.[1]

State student lobbies are concerned with representing student interests to boards of trustees and administrators at the state level, state legislators, the governor, education departments, and other executive agencies. They also sponsor a number of services to students, which include group cooperatives, travel programs, and student insurance programs.[2]

In the United States, the first state student lobby was formed in 1971 by students on the nine campuses of the University of California. The Student Lobby of California was founded in reaction to attempts by then Governor Ronald Reagan and the California legislature to increase student fees and to introduce bills aimed at controlling student protests.[3]

Mr. George Murphy, Vice Chancellor and Dean of Student Affairs,[4] University of California at San Diego, in a telephone interview with this investigator, described the student lobbying in California as the twelfth most effective lobby in the state. As cited in a 1976 legislative survey, student lobbyists influenced California legislators by their preparation, organization, and dedication. The students' challenge, according to Murphy, came in 1972, when then Governor Reagan, the California legislature, and the public, called upon the students "to work within the system." In Murphy's belief, "the purpose of the 1972 directive may have been to co-opt the credibility of the student groups, but it is possible that the University of California Student Lobby is now doing the co-opting of the legislature."[1]

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[1] Klamon, Lobbying: A Guide, p. 10.

[2] Ibid., p. 14.

[3] Philip W. Semas, "Student Lobbyists Showing a New Sophistication," Chronicle of Higher Education, 12 March 1973, p. 5.

[2] Telephone interview with Mr. George Murphy, Vice Chancellor and Dean of Student Affairs, University of California at San Diego, 6 January 1977.

The Student Lobby of California has taken action on more than one hundred legislative enactments that have dealt with the University of California students with respect to child care centers, financial aid to students, housing regulations, and collective bargaining.[2] The Student Lobby of California's concern with legislation on collective bargaining stems from its desire to prevent university governance from being conducted without student participation. The Student Lobby of California sought to promote legislation that would permit students, as nonvoting members, to become third party participant/observers at the faculty-administration negotiating tables.[1]

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[1] Ibid.

[2] Larry Van Dyne, "Student Lobbyists Shift Emphasis," Chronicle of Higher Education, 15 October 1974, p. 4.

The Student Association of the State University of New York began operations in 1972 and today has the largest staff of any state student lobby. The Student Association of the State University of New York supports a professional staff of eight full-time employees and an equal number of interns. The Student Association of the State University of New York is supported by dues paid by member campuses and revenue from consumer service programs (i.e. food and book cooperatives). The bylaws of the Student Association of the State University of New York, unlike those of the Student Lobby of California, restrict legislative advocacy to those issues which are related to higher education or which affect the interests of State University of New York students.[2]

Mr. Richard Gillman, Acting Associate Vice Chancellor for University Affairs, the State University System of New York,[3] stated in a telephone interview that students, as lobbyists and affected parties, have been particularly effective because of the professional, persuasive, sophisticated, and concerned demeanor of the students involved in the lobbying effort. Gillman said the Student Association of the State University of New York has created an excellent communications network that has affected legislation and the government of New York

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[1] Ibid., p. 4.

[2] Klamon, Lobbying: A Guide, p. 2.

[3] Telephone interview with Mr. Richard Gillman, Acting Associate Vice Chancellor for University Affairs, Central Administration, State University of New York, 6 January 1977.

Florida's student lobby, the Florida Student Association, resulted from the activities of concerned students in the state of Florida. Students had successfully worked with members of the Florida legislature, during the 1974 session, to draft, lobby, and pass Chapter 74-312(3), Laws of Florida (student activity fee).

The Florida Student Association is financed by the nine state universities in the State University System of Florida. Each university remits twenty cents per student enrolled according to the fall enrollment figures.[1] During the 1976 legislative session, the Florida Student Association supported bills that were designed to put a student on the Board of Regents, assure that any future changes in the tuition of the State University System must receive legislative approval before taking effect, and make a student a third party participant/observer in collective bargaining procedures.[2]

The areas reviewed in this chapter describe two methods utilized by students to change policies and decisions made within institutions of higher education. The first section, students and the contemporary university system, reviewed internal activities used by students to effect change in the university system. The second section, student lobbying, reviewed external activities used by students to effect change in policies and decisions made within the contemporary university system.

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[1] Florida Association of Student Senates, 6 July 1976 Minutes, p. 1. (Mimeographed.)

[2] Ibid., p. 2.

CHAPTER III

PROCEDURES

The research methods utilized to study Chapter 74-312(3), Laws of Florida (student activity fee) were (1) the focused research interview and (2) the critical incident technique. The focused research interview was initially developed to meet certain problems growing out of communications research. In 1942, the Bureau of Applied Social Research was conducting individual and group interviews in the studies of the social and psychological effects of mass communication. A type of research interview grew out of this experience, "which is perhaps characteristic enough to merit a distinctive label--the focused research interview."[1]

Merton, Fiske, and Kendall describe the characteristics of the focused research interview as follows:

> 1. The persons interviewed are known to have been involved in the particular situation
>
> 2. The elements, patterns, process, and total structure of the situations have been provisionally analyzed by the investigator

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[1] Robert K. Merton and Patricia L. Kendall, "The Focused Interview," The American Journal of Sociology 51 (1946): 552.

3. An interview guide is developed from the provisional analysis by the investigator. The interview guide sets forth the major areas of inquiry and provides criteria of relevance for the data obtained in the interview

4. The interview is focused on the subjective experiences of persons involved in the situation.[1]

Herzog, in 1943, used the focused research interview to deal with listener gratification provided by various types of radio programs.[2] During World War II, Herzog was assigned by several United States war agencies to study the social and psychological effects of specific efforts to build troup morale. In the course of this work the focused interview was progressively developed to a relatively standardized form.[3]

Merton and Kendall stated:

> In the beginning the primary, though not the exclusive purpose of the focused research interview was to provide some basis for interpreting statistically significant effects of mass communications. But, in general, experimental studies of effects and inquiries into patterned definitions of social situations might well profit by the use of the focused research interview.[4]

The criteria for the effective research interview are as follows:

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[1] Robert K. Merton, Marjorie Fiske, and Patricia L. Kendall, The Focused Interview (Glencoe, IL: The Free Press, 1956), p. 3.

[2] Ibid., pp. 110-115.

[3] Ibid., pp. 132-135.

[4] Ibid., p. 5.

1. Range--the extent of relevant data provided by the interview
2. Specificity--the interview should elicit highly specific reports of the aspects of the stimulus situation to which interviewees have responded
3. Personal context--the interview should bring out the attributes and prior experience of the interviewees which endow the situation with distinctive meanings.[1]

To facilitate the execution of an effective focused research interview, Merton, Fiske, and Kendall recommend the use of the structured question. A structured question is the type where "the investigator assumes almost complete control of the interview . . . (and) suggests an order of response which he assumes was experienced by the interviewees."[2]

The second research method, the critical incident technique, is an outgrowth of the studies conducted by the Aviation Psychology Program during World War II. This program, which is part of the United States Army Air Force, was established in the summer of 1941, to develop procedures for the selection and classification of air crews.[3] To obtain valid information regarding the critical requirements for success in a specific assignment, procedures were developed to "obtain first-hand reports, or reports from objective records, of satisfactory or unsatisfactory execution of the task assigned."[1]

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[1] Merton and Kendall, "The Focused Interview," p. 550.

[2] Merton et al., The Focused Interview, p. 16.

[3] John C. Flanagan, "The Critical Incident Technique," Psychological Bulletin 51 (July 1954): 328.

More formal studies using the critical incident technique were conducted after World War II by the American Institute for Research. In the spring of 1947, the Institute had refined the procedure and officially named it the critical incident technique.[2] Most of the studies conducted between 1947-51 had as their objective the determination of the critical requirements for a specific occupational group or activity. One of the first studies using the critical incident technique in education was carried out by Smit in 1952. The purpose of Smit's study was to determine the critical requirements for instruction of general psychology courses.[3]

Flanagan, originator of the critical incident technique, states that the technique should include five steps:

1. Determination of the general aim of the activity
2. Development of plans and specifications for documenting factual incidents regarding the activity
3. Collection of the data
4. Analysis of the data

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[1] Ibid., p. 329.

[2] Ibid., p. 329.

[3] Ibid., p. 355.

5. Interpretation and reporting of the activity.[1]

Flanagan noted that:

> The critical incident technique, rather than collecting opinions, hunches, and estimates, obtains a record of specific activities from those in the best position to make the necessary observations. A list of critical activities provides a sound basis for making inferences as to requirements of terms of aptitudes, training, and other characteristics.[2]

In 1956, Corbally, writing on the critical incident technique and educational research, stated that "the critical incident technique has much to offer research in education . . . the technique offers an outstanding method of studying a task in terms of the action of those engaged in the task."[3] In another article published in 1956, Mayhew stated that "the critical incident technique appears to have important possibilities in educational measurement. Its significance lies chiefly in providing empirically derived classifications of activities."[4]

Data Collection

Data collection for this study started in December,

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[1] Ibid., p. 355.

[2] Ibid., p. 356.

[3] John E. Corbally, Jr., "The Critical Incident Technique and Educational Research," Educational Research Bulletin 35 (March 1956): 61.

[4] Lewis B. Mayhew, "The Critical Incident Technique in Educational Evaluation," Journal of Educational Research 49 (April 1956): 598

1976, and concluded March, 1977. Two preliminary phases of data collection were undertaken by this investigator: (1) reviewing the documents that related to the inception and passage of Chapter 74-312(3), Laws of Florida (student activity fee), and (2) the development and administration of three Interview Schedules to the Inceptors and Implementors who participated in the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida

Documents Reviewed

The following documents were reviewed by this investigator to (1) establish the preliminary qualifications for a participant to be included in this study and (2) gather information that would be used to develop the Interview Schedules.

1. Articles and editorials in selected state newspapers (Florida Times-Union, Tampa Times, Tampa Tribune Times, Jacksonville Journal, and the Tallahassee Democrat), and five student newspapers (Florida Flambeau, the Florida State University; Oracle, the University of South Florida; Halyard, the University of North Florida; Future, the Florida Technological University; and the Good Times/Internationale, Florida International University)

2. Memoranda that specifically addressed the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida.

Development of the Classification Sheet

This investigator developed a classification sheet that was used to sort the information found in the documents that were reviewed. The areas in the classification sheet were as follows:

1. Title and date of the article
2. Name of the publication
3. Subject of the article
    a. Budget allocations
    b. University administration involvement in budget hearings
    c. Student control of the activity fee budget
    d. Activity fee hearings
    e. Other categories
4. Florida legislature
    a. Introduction and sponsor of the legislation
    b. Companion legislation
    c. Other categories
5. Florida legislative committee reports
    a. Analyst summary of the bill
    b. Committee amendments
    c. Committee summary
    d. Committee vote
    e. Other categories
6. Governor's involvement
7. Other categories

Development of the Interview Schedules

The Interview Schedules (see Appendices D, E, and F) were designed by this investigator to provide information on the following structural questions:

1. What were the critical incidents that led to the inception and passage of Chapter 74-312(3), Laws of Florida (student activity fee)?

2. What procedures are being used by the nine state universities to implement Chapter 74-312(3), Laws of Florida (student activity fee)?

3. What changes should be made in Chapter 74-312(3), Laws of Florida (student activity fee)?

Questions and Their Rationale

Members of the Inceptor group were involved in this study from 2 April 1974 through 25 June 1974. The Inceptors' responses to questions in this section are classified as personal recall. After reviewing the news articles and the senate committee reports, this investigator divided data collection into two categories:

1. 2 April 1974 through 24 April 1974. Covering the period prior to and including the inception of a change in the allocation procedures of the student activity fee

2. 25 April 1974 through 25 June 1974. Committee hearings, lobbying activities, house and senate floor discussions, and passage of Chapter 74-312(3), Laws of

Florida.

The following rationales were used by this investigator to develop the questions in the Inceptors' Interview Schedule--section one:

Section One

1. What persons or events made you aware of a need to change the allocation procedure of the student activity fee?

This question was designed to determine the critical incidents that surrounded the inception of the student activity fee legislation

2. What events transpired between these two dates (introduction and passage) that relate specifically to the student activity fee?

This question was developed to delineate clearly the events and critical incidents that transpired between the introduction of the legislation, 24 April 1974, and the passage of the legislation, 25 June 1974

3. What other pro and con issues were raised about the student activity fee legislation prior to its passage?

The intent of this question was to get at the issues that were raised about the allocation procedures of the student activity fee. The investigator was concerned with those issues raised during the hearings and after the passage of Chapter 74-312(3), Laws of Florida.

The participants in the Implementor group (chief student personnel officer or designee and the student government chairperson or president) were involved with the implementation of Chapter 74-312(3), Laws of Florida, from 1 July 1975 through 30 June 1976.

The rationale used by this investigator to develop the questions in the Implementors' Interview Schedules--section one and section two, was:

Section One

1(a). How has the passage and implementation of Chapter 74-312(3), Laws of Florida, addressed this charge?

The 1947 President's Commission on Higher Education put great emphasis on the development of leadership for a democracy.[1] The legislative intent of Section 240.001, Florida Statutes, charges the Board of Regents with "the fullest realization of a democracy . . . teach and develop lawful methods of change."[2] The rationale in the papers and reports prepared and presented to the state newspapers and the legislative committees by students who lobbied on behalf of the passage of Chapter 74-312(3) was that passage of the legislation would address the legislative intent of Section 240.001, Florida Statutes. This question was developed to determine the extent to which Chapter 74-312(3),

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[1] President's Commission on Higher Education, Higher Education for American Democracy, Vol. 1: Establishing the Goals (Washington, DC: U. S. Government Printing Office, 1947), p. 103.

[2] Florida Statutes, Section 240.001.

Laws of Florida, addressed the legislative intent of Section 240.001, Florida Statutes.

1(b). What opportunities are available to students on this campus which fulfill this charge?

This question was included to illustrate the opportunities on each campus which address the intent of Section 240.001, Florida Statutes

2(a). What allocation and expenditure procedures are employed?

This question was designed to determine the procedures employed by the student government association for the allocation and expenditure of the student activity fee

2(b). What responsibility does the chief student personnel officer or his/her staff assume with regard to the allocation and expenditure procedures?

An argument that was repeated in the news documents cited in the procedure section of this study involved administrative input and control over the allocation and expenditure of the student activity fund. This question was designed to determine the role that the chief student personnel officer or designee assumes with regard to the allocation and expenditure procedures of the student activity fund.

Section Two

1(a). What effect has student government's responsibility for and authority over the student activity fund had on student voter participation?

An issue raised during the hearings on the activity fee legislation was that student voter participation was directly proportionate to the influence student government had over student monies. This question was designed to determine the effect of student government's responsibility for the allocation and expenditure of the student activity fund on student voter participation

1(b). What other influences may affect the student voter participation?

In August, 1976, two state of Florida legislators suggested an audit be conducted on student governments' expenditure of the student activity fund. The suggestion was based on the budgetary decisions of the summer student senate at the University of South Florida. This question was designed to determine the effect of an audit on student government's responsibility for the allocation and expenditure of the student activity fund

2(b). Should other forms of accountability be required?

This question was designed to pinpoint other areas of accountability which might be required of student government in addition to an audit.

The following rationale was used to develop the final question asked of all the participants in this study.

1 and 3. In your opinion, what should these additions

or changes be (in Chapter 74-312(3), Laws of Florida)?

This question was designed to determine from the persons involved in the inception, passage, or implementation of Chapter 74-312(3), Laws of Florida, the additions or changes that should, in their opinion, be made in the law.

Parts of the Interview Schedule

The Interview Schedule consisted of three parts:

1. The Introduction (see Appendix G): A statement which described the intent of this research and requested that the interview participants familiarize themselves with the materials contained in the Interview Schedule prior to the formal interview

2. The Definition of Terms (see Appendix G): The terms used in the interview questions as defined in relation to this study

3. The Interview Questions (see Appendices D, E, and F): The questions developed by this investigator to gather information and critical incidents on the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida.

Interview Participants

The criteria which influenced the selection of the interview participants (see Appendix H) were the following:

1. The criteria for selection of Inceptors included notation, at least three times, in a legislative committee report, state and student newspaper article that related to

the student activity fee legislation, or State University System memoranda

2. Criteria for selection of Implementors involved:

a. Designation by the president or vice-president to assist, advise, or supervise the allocation and expenditure of the student activity fund by the officially elected student government association

b. An individual who has been officially elected or appointed to the position of president or chairperson of the officially recognized student government association.

Twelve Inceptors and twenty-nine Implementors (see Appendix H) were asked to participate in the formal interviews and to respond to the questions in the Interview Schedules. The Inceptors included two state senators, two staff members of the Florida Department of Education, two administrators of the State University System, three students, and three former student government officers. The Implementors included nine chief student personnel officers or designees, five support student personnel officials, nine student government presidents or chairpersons in the State University System of Florida, and six other student government officers.

Participants' Approval and Scheduling of Interviews

Initial correspondence with the interview participants took place during the third week of December, 1976. A letter (see Appendix I) requesting their participation in this study, and citing the support and endorsement of the Commissioner of Education, state of Florida, and the Director of Student Services for the State University System of Florida, was included with the initial correspondence.

One week after the letters were mailed, the investigator telephoned the interview participants to confirm their cooperation in this study. During the telephone conversation, the investigator polled the interview participants about the dates and times that would be convenient for the interview.

Two days following the initial telephone conversation, a packet was sent to all the consenting interview participants. The packet contained two enclosures: (1) a copy of the endorsement letter from the Commissioner of Education and/or the Director of Student Services in the State University System, and (2) a copy of the interview procedures.

To those persons who participated in the study, the investigator sent a letter confirming the appointment and a copy of Section One of the Interview Schedule.

Presentation of Data

The results of the data collected from the three Interview Schedules, which were designed to answer the three structural questions listed in chapter one will be presented in three sections in chapter four. The first section, "Inceptors' Responses to Section One of the

Inceptors' Interview Schedule," will present data in narrative, tabular, and figure format. The second section, "Implementors' Responses to the First Four Questions in the Implementors' Interview Schedule," will present the data in a tabular format. The third and final section, "Inceptors' and Implementors' Responses to Additions or Changes in Chapter 74-312(3), Laws of Florida," will present the data in a narrative and tabular format.

CHAPTER IV

DATA PRESENTATION AND ANALYSIS

The present chapter will answer the three structural questions listed in chapter 1. Data in this chapter were collected from the three Interview Schedules, forty-one personal interviews, State University System memoranda, state and regional newspaper articles, and legislative committee reports. Data will be presented in three sections: (1) Inceptors' Responses to Section 1 of the Inceptors' Interview Schedule, (2) Implementors' Responses to Section 1 of the Implementors' Interview Schedule, and (3) Inceptors' and Implementors' Responses to additions or changes in Chapter 74-312(3), Laws of Florida (student activity fee).

Inceptors' Responses to Section One of the Inceptors' Interview Schedule

This section will answer the first structural question listed in chapter 1: What were the critical incidents that led to the inception and passage of Chapter 74-312(3), Laws of Florida (student activity fee)? The first question in the Inceptors' Interview Schedule sought to determine the events or persons which made the Inceptor aware of a need to change the allocation of the activity fee.

The twelve Inceptors identified a number of persons or events that made them aware of the need for a change in the allocation procedures of the activity fee. Table 1 shows the twelve Inceptors' responses concerning the persons or events that made them aware of a need to change the allocation procedures of the activity fee.

TABLE 1

INCEPTORS' RESPONSES[a] CONCERNING THE PERSONS OR EVENTS THAT MADE THEM AWARE OF A NEED TO CHANGE THE ALLOCATION OF THE ACTIVITY FEE

Response	Inceptors (n=12)	Percent
Previous participation in student government . . .	5	42
Current participation in student government . . .	5	42
Student lobbyists	9	75
State University System student governments' reduced authority for the allocation of the student activity fee[b]	7	58
Change in administrative policies with regard to the allocation of the student activity fee . .	4	33
Senator's personal bias . .	2	17
Not aware of a need	2	17

[a] Multiple responses permitted.

[b] For an example of this reduced authority see Appendix J--Case Study, The Florida State University.

As the responses in table 1 indicate, student lobbyists' and student governments' reduced authority for the allocation of the student activity fee were most frequently stated by the Inceptors as the persons or events that made them aware of the need to change the allocation of the activity fee.

The second and third questions included in the Inceptors' Interview Schedule (see Appendix D) asked the twelve Inceptors to recall two specific pieces of information. The first specific piece of information related to the events that transpired between the introduction and passage of Chapter 74-312(3), Laws of Florida. The second piece of information related to the pro and con issues presented during the testimony on Senate Bill 1004 (student activity fee bill). The responses to these two questions will be presented in narrative, tabular, and figure format.

The introduction of Senate Bill 1004 (see Appendix O) was the first in a series of events mentioned by six of the Inceptors that transpired between the introduction and passage of Chapter 74-312(3), Laws of Florida (student activity fee).[1] The next events, according to six of the Inceptors, were the hearings and testimony on Senate Bill 1004 scheduled by the Senate Education and the Senate Ways and Means Committees. On 13 May 1974, the staff analysis of Senate Bill 1004 stated the following:

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[1] Introduced as Senate Bill 1004 on 24 April 1974.

> The basic issue involved concerns the authority of the various student governments at the state universities, and their desire to have control over the expenditure of the activity and service portion of the student's paid fees. This bill provides a mechanism whereby the student governments can spend the receipts of the proceeds from these fees in a fund, subject to the veto of the university president, which may be overridden by a two-thirds vote of the student government association.[1]

As reported by six of the Inceptors, during the month of May, 1974, the Senate Education and the Senate Ways and Means Committees, respectively held hearings and received testimony on Senate Bill 1004 (student activity fee). Table 2 shows the pro and con issues that were identified by the twelve Inceptors as being presented before these two senate committees.

As the data in table 2 show, there were eight pro and six con issues that were given in testimony before the Senate Education and the Senate Ways and Means Committees that related specifically to Senate Bill 1004.

Figure 1 illustrates the progression of Senate Bill 1004 from its introduction in the senate to passage by both the house and the senate.

According to eight of the Inceptors, testimony before the Senate Ways and Means Committee caused the committee to deadlock on the bill. The chairman of the committee suggested that Senator Jack Gordon, sponsor of Senate Bill 1004,

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[1] Florida legislature--Senate Committee on Education SB 1004, 13 May 1974.

TABLE 2

PRO AND CON ISSUES RELATED TO SENATE BILL 1004 (STUDENT ACTIVITY FEE) REPORTED BY THE TWELVE INCEPTORS AS PRESENTED IN TESTIMONY BEFORE THE SENATE EDUCATION AND THE SENATE WAYS AND MEANS COMMITTEES

Issue	Pro	Con
Students and student government know student priorities better than anyone else in the university	X	
Students are too inexperienced, immature, and transient to control the student activity fund		X
Students are not capable of controlling student activity funds that pay salaries of career service employees		X
The current activity fee allocation process is synonymous to taxation without representation	X	
Student voter participation is directly proportionate to the control student government has over the activity fee. As control decreases so does the student voter participation	X	
Since only 15% of the student body votes during a student election, the student government is not representative of its total constituency		X
The political nature of student government leads to instability		X
There is a need for student representation through a responsible student government with real and not symbolic responsibility and authority	X	
No final authority has been removed from the president of the university for the president still has final veto authority over the activity fund budget	X	
Student input into the activity fee process is adequate and a law would only mean lengthy court battles		X
With the State University System enrollment padding[a] that was before the House Appropriations Committee, it appeared that the administrators at the state universities were not managing their own shops efficiently	X	
As administrative authority over the activity fee has increased, administrative overhead and salaries have increased and student programming activities have decreased	X	
This bill would single out a university budget entity and give statutory authority for its responsibility to the various student governments		X
If students are not permitted responsible representation for their funds through student government, the next logical step would be to form student unions	X	

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[a] During the 1974 Florida legislative session, publicity was released that dealt with alleged enrollment padding at the state universities of Florida. The alleged enrollment padding involved students who would pay a flat fee for full-time enrollment and enroll for more than fifteen hours (fifteen hours was the figure used to calculate the full-time equivalent student). One of the outcomes of the enrollment padding controversy was a legislative resolution which supported the Board of Regents recommended change to a per credit hour fee structure.

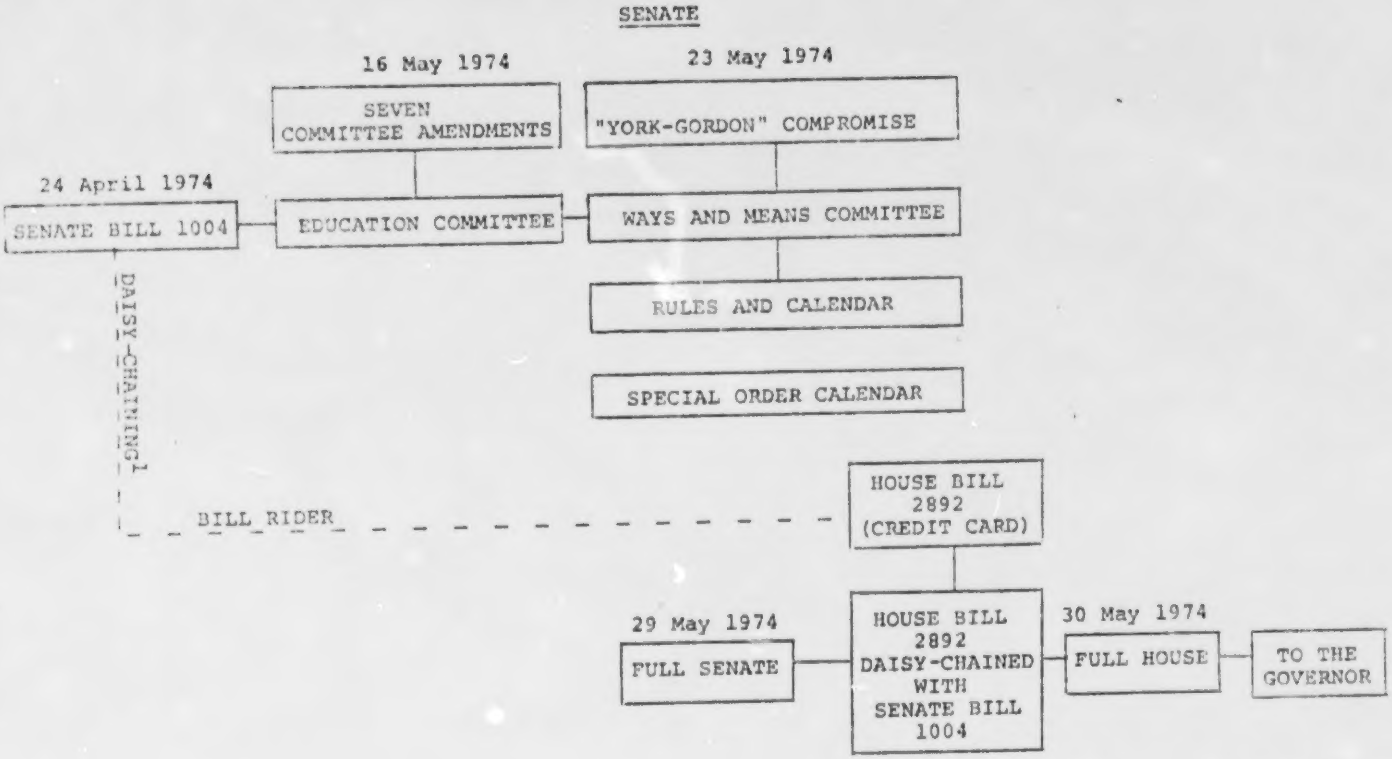
SENATE
16 May 1974
23 May 1974
SEVEN COMMITTEE AMENDMENTS
"YORK-GORDON" COMPROMISE
24 April 1974
SENATE BILL 1004
EDUCATION COMMITTEE
WAYS AND MEANS COMMITTEE
RULES AND CALENDAR
SPECIAL ORDER CALENDAR
DAISY-CHAINING[1]
BILL RIDER
HOUSE BILL 2892 (CREDIT CARD)
29 May 1974
FULL SENATE
HOUSE BILL 2892 DAISY-CHAINED WITH SENATE BILL 1004
30 May 1974
FULL HOUSE
TO THE GOVERNOR

Figure 1: Progression of Senate Bill 1004 (student activity fee) from introduction in the senate to passage.

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[1] Daisy-chaining is a political strategy whereby the language and provisions of one bill are amended onto a non-controversial bill that has passed in either house of the legislature.

and Chancellor-designate E. T. York, Florida Board of Regents, settle on a compromise for the bill. As figure 1 shows, the "York-Gordon" compromise which was offered to the full committee included two additional[1] amendments to Senate Bill 1004 (student activity fee). The first amendment deleted the word "not" and added the phrase or portion thereof to the bill. The amended section read:

> the president may ~~not~~ reallocate the funds to ~~any-other-purpose~~[2] the health service, intercollegiate athletics or current bond obligations . . . provided, that the president of the university may veto any line item or portion thereof within the budget as determined by the student government association.[3]

Senate Bill 1004 unanimously passed out of the Senate Ways and Means Committee and as figure 1 shows was sent to the Rules and Calendar Committee of the senate.

The next event, according to six of the Inceptors, and as illustrated in figure 1, was the placement of Senate

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[1] The original seven amendments of the Senate Education Committee included (1) correct spelling of the word universities, (2) insert the phrase legislative body after the term student government association, (3) underline all new language, (4) insert after students in line 23 the term except for intercollegiate athletics, (5) delete the two thirds override and insert in line 28 give the university president final veto authority over a line-item, (6) on line 21 strike the comma, and all of line 22 and on line 23 insert "government association," and (7) insert in each place after the word activity the phrase and service.

[2] Language that is ~~marked-through~~ indicates deleted language. Language that is underlined indicates the addition of new language. This is done in accordance with section 11.07, Florida Statutes.

[3] Senate Bill 1004, as amended by the Senate Ways and Means Committee on 23 May 1974.

Bill 1004 on the Special Order Calendar of the senate. A bill must be placed on the Special Order Calendar if it is to be heard by the full senate or house. According to eight of the Inceptors, when it appeared that Senate Bill 1004 might not get on the Special Order Calendar an alternative strategy was employed.

The alternative strategy, daisy-chaining or bill riding (see figure [illegible], was suggested by Senator Robert Graham, who supported the bill through both senate committees. The bill that was selected by Senator Graham was House Bill 2892--Credit Cards (see Appendix P). This bill dealt with the State University System entering into agreements and accepting credit card payments as compensation for goods, services, tuition, and fees.

According to nine of the Inceptors, House Bill 2892 (credit card) came up for a vote before the full senate. According to the Journal of the Senate, Senators Gordon, Graham, and Sykes moved to daisy-chain or bill ride House Bill 2892 to include the provisions of Senate Bill 1004 (student activity fee).[1] On a motion by Senator Gordon, House Bill 2892, as amended, was read for a third time, passed unanimously, and certified to the house.

Nine of the Inceptors indicated that on the last day of the 1974 session, 30 May 1974, House Bill 2892 as amended by the senate (see Appendix Q) was passed by the house, certified to the senate, and ordered enrolled after engrossment. The engrossed bill was then sent to Governor Reubin O'D. Askew, who on the last day to veto a bill from the 1974 legislative session, signed into law House Bill 2892 (credit cards and student activity fee).[1]

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[1] Journal of the Senate, 29 May 1974, p. 1120.

In order to summarize the findings presented in this section, this investigator combined the results of the narrative, tabular, and figure presentations into table 3. Table 3 shows the primary factors that acted on the inception and passage of Chapter 74-312(3), Laws of Florida.

TABLE 3

PRIMARY FACTORS THAT ACTED ON THE INCEPTION AND PASSAGE OF CHAPTER 74-312(3), LAWS OF FLORIDA

Factors	Inceptors n=12	Percent
Student lobbyists	9	75
Student governments' reduced authority for allocation of the activity fee	7	58
"York-Gordon" compromise	8	66
Employment of political strategy of daisy-chaining or bill riding .	8	66
Last day's activities of the Florida legislature	9	75

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[1] "Student Fees Bill Signed by Askew," Tallahassee Florida Flambeau (student newspaper), 26 June 1974, p. 1.

There are four primary factors[1] that acted on the inception and passage of Chapter 74-312(3), Laws of Florida (student activity fee). These factors are:

1. The activities of student lobbyists and student governments' reduced authority for the allocation of the student activity fee led to the drafting of the original activity fee legislation

2. The "York-Gordon" compromise, introduced during the Senate Ways and Means Committee hearings, insured a favorable vote of the committee on Senate Bill 1004 (student activity fee)

3. The political strategy of daisy-chaining or bill riding guaranteed that Senate Bill 1004 would be heard by the full senate and house during the regular 1974 legislative session

4. The consideration of the amended House Bill 2892 (credit card and student activity fee) on the last days of the 1974 session increased the likelihood that the bill would be heard and pass the full house and senate.

Each of these four factors fits the investigator's definition of a critical incident presented in chapter three in that each facilitated the inception and passage of the activity fee legislation. These four factors answer the first structural question in chapter one.

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[1] Categories representing less than 50 percent of the Inceptors' responses were eliminated from table 3.

Implementors' Responses to the First Four Questions in the Implementors' Interview Schedule

This section will answer the second structural question listed on chapter one: What procedures are being used by the nine universities to implement Chapter 74-312(3), Laws of Florida? There were four questions included in the Implementors' Interview Schedule that were designed to answer the second structural question.

The first question that was discussed by the Implementors focused on the legislative intent of section 240.001, Florida Statutes, and one of the areas of emphasis in the 1947 President's Commission on Higher Education. Both documents stressed the development of democracy through educational institutions.

Part 1 of the first question in the Implementors' Interview Schedule asked the Implementors to describe how the passage and implementation of Chapter 74-312(3), Laws of Florida,[1] has addressed the legislative intent of section 240.001. Table 4 shows the twenty-nine Implementors' responses to this question.

As table 4 shows, nineteen of the Implementors stated that students who were directly involved in student government have learned to assume responsibility for their decisions as they relate to the allocation of the activity fee.

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[1] Introduced as Senate Bill 1004, incorporated into the Laws of Florida in Chapter 74, section three.

TABLE 4

IMPLEMENTORS' RESPONSES[a] TO THE LEGISLATIVE INTENT OF SECTION 240.001, FLORIDA STATUTES, AS ADDRESSED BY THE PASSAGE AND IMPLEMENTATION OF CHAPTER 74-312(3), LAWS OF FLORIDA (STUDENT ACTIVITY FEE)

Responses	Implementors n=29	Percent
Mandated a relationship between the students and the university administration	7	24
Improved student participation in university decision-making . .	9	31
Students have learned to become more effective lobbyists . . .	15	52
Students who are directly involved in student government have learned to assume responsibility for their decisions for the allocation of the activity fee	19	66
Methods to fulfill the charge existed prior to the passage of the law	7	24
Never the intent of the law . . .	4	14
Passage of the law has nothing to do with the intent of section 240.001, _Florida Statutes_ . .	1	3

[a] Multiple responses permitted.

According to these nineteen Implementors, students have had the opportunity to fulfill the legislative intent of section 240.001, _Florida Statutes_, in the process of assuming this responsibility.

Table 5 shows the twenty-nine Implementors' responses to part 2 of the first question in the Implementors' Interview Schedule, which asked: What opportunities are available to students on this campus which fulfill this charge? Table 5 illustrates that over 50 percent of the twenty-nine Implementors stated that participation in student government and service on university-wide committees were the most frequent opportunities available to students to fulfill the legislative intent of section 240.001, Florida Statutes.

The second question included in the Implementors' Interview Schedule was designed to find out how the student activity fee was implemented on each of the nine campuses. Since the responses to this question might be classified as an inventory or listing, the investigator requested that only one Implementor from each university in each category respond. Table 6 shows the procedures, as reported by eighteen Implementors, that were used during the fiscal period 1975-76 to implement the activity fund.

As table 6 shows, only four universities had published activity fund guidelines. The Implementors attributed this to the fact that the activity fee had only been implemented, according to the provisions of the law, for one fiscal period and some of the universities were still in the process of developing guidelines.

Table 6 also illustrates that at eight of the state universities the initial budget requests were considered

TABLE 5

IMPLEMENTORS' RESPONSES[a] TO THE OPPORTUNITIES AVAILABLE TO STUDENTS THAT FULFILL THE CHARGE OF SECTION 240.001, FLORIDA STATUTES

Responses	Implementors n=29	Percent
Service on university-wide committees	15	52
Participation in the university governance process	5	17
Service on search and screen committees	2	7
Membership on departmental student advisory committees	5	17
Participation in student government	16	55
Participation in residence hall governance	5	17
Membership in fraternal societies	7	24
Membership in clubs and other student organizations	9	31
Participation in state and national student lobby organizations	8	28

[a] Multiple responses permitted.

by a committee composed entirely of students, but at one of the universities, a university-wide budget committee held open hearings. This university-wide budget committee was composed of faculty, career service, and students, as

TABLE 6

PROCEDURES USED BY THE NINE STATE UNIVERSITY STUDENT GOVERNMENTS TO IMPLEMENT THE ACTIVITY FEE FOR THE FISCAL YEAR 1975-1976 AS REPORTED BY THE TWO CATEGORIES OF IMPLEMENTORS

Responses	Implementors n=18	Percent[a]
Published activity fee guidelines	8	44
Receipt of university enrollment projections from the university comptroller	18	100
Advertise the availability of the activity fees . .	10	55
Agencies under the activity fee submit applications for these funds	18	100
Student Committee[b] holds open hearings	16	89
University-wide budget committee[c] holds open hearings	2	11
Committee recommends budget to student senate . . .	13	100
Student government senates review, alter, and/or approve the budget	18	100
Student government president or chairperson reviews, approves, vetoes, and/or signs off on the activity fee budget	16	89
Chief student personnel officer or designee reviews the activity fee budget	16	89
Vice president for administrative affairs reviews and signs off on the activity fee budget	2	11
Vice president for academic affairs reviews and signs off on the activity fee budget	4	22
Vice president for student affairs reviews, vetoes, and/or signs off on the activity fee budget . .	2	11
University president reviews, vetoes, and/or signs off on the activity fee budget	16	89

[a] Mutually exclusive categories

[b] The nine universities employ different names for their student government activity fee committees; for this table and the following discussion the term student committee will represent the nine designated activity fee committees.

[c] The university-wide budget committee is composed of faculty, career service, and student representatives.

[d] Committee in this response represents both the student committee and the university wide budget committee.

mandated by the university's constitution.

Another procedure reported by the Implementors was that eight of the university presidents review, veto, and/or sign off on the activity fee budget, but at one of the universities the president had delegated this authority to the vice president for student affairs. Two of the Implementors stated the procedure was established at this university because of the president's commitment to a strong student affairs division headed by the vice president for student affairs.

The purpose of the second part of question 2 was to determine the responsibility of the chief student personnel officer or designee as it relates to the allocation and expenditure of the activity fee. Table 7 shows the eighteen Implementors' responses to this question. Sixteen of the Implementors felt that reviewing the approved budget of the student government and assuming an advisory role were the most frequent responsibilities that the chief student personnel officer or his/her designee assumed with regard to the allocation and expenditure of the activity fee.

The third question asked of the twenty-nine Implementors was: What effect has student governments' responsibility for and authority over the activity fee had on student voter participation? Table 8 shows the twenty-nine Implementors' responses to this question.

As table 8 data show, fourteen of the Implementors

TABLE 7

IMPLEMENTORS' RESPONSES[a] TO THE RESPONSIBILITY THE CHIEF STUDENT PERSONNEL OFFICER OR DESIGNEE HAS FOR THE ALLOCATION AND EXPENDITURE OF THE STUDENT ACTIVITY FEE

Responses	Implementors n=18	Percent
Chief student personnel officer reviews the budget approved by the student government	16	89
Chief student personnel officer or designee signs off on the activity fee budget approved by the student government	12	66
Chief student personnel officer or designee's role is advisory . .	16	89
Chief student personnel officer or designee is an ex-officio member of the student committee[b] .	8	44
Chief student personnel officer is a voting member of the student government association or council	2	11
Chief student personnel officer or designee has signatory authority over the activity fee expenditures	8	44
Chief student personnel officer or designee is not involved in the process	2	11

[a] Multiple responses permitted.

[b] Student committees represents the common name for the activity fund committee at the nine universities.

TABLE 8

IMPLEMENTORS' RESPONSES[a] TO THE EFFECT THAT STUDENT GOVERNMENTS' RESPONSIBILITY FOR AND AUTHORITY OVER THE ACTIVITY FEE HAS HAD ON STUDENT VOTER PARTICIPATION[b]

Responses	Implementors n=29	Percent
Student voter participation has increased steadily since the passage and implementation of this bill	10	34
Just beginning to affect student voter participation.	8	28
No direct effect	14	48
No student government prior to the passage of the law.	3	10

[a] Multiple responses permitted.

[b] The issue of student voter participation was selected for study by this investigator because it was the most frequent issue presented during the senate testimony on the activity fee legislation. To determine the effect that the activity fee legislation has on student voter participation research must be developed that would hold constant the intervening variables.

stated that student governments' responsibility for and authority over the activity fee has had no effect on student voter participation.

Table 9 shows the other influences that affect student voter participation at the state universities. Table 9 shows the largest single influence on student voter participation, as reported by twenty Implementors, was the

TABLE 9

IMPLEMENTORS' RESPONSES[a] TO THE OTHER INFLUENCES THAT AFFECT STUDENT VOTER PARTICIPATION AT THE STATE UNIVERSITIES

Responses	Implementors n=29	Percent
Issues of the student election . . .	13	45
Personalities of the student candidates	9	31
Demographic characteristics of the student population	20	69
Physical lay-out of the campus . . .	8	28
Upper division university	9	31
Media coverage of the election . . .	4	14
Florida Blue Key	2	7
Fraternity or sorority vote	5	17

[a] Multiple responses permitted.

demographic composition of the student population. Some of the characteristics were: age, number of hours employed, marital status, resident, commuter, full-time, part-time student.

The fourth question to which the Implementors were asked to respond dealt with two state of Florida legislators' request for an audit of student governments' expenditures of the activity fee system-wide. Table 10 indicates the twenty-nine Implementors' responses to this question.

TABLE 10

IMPLEMENTORS' RESPONSES[a] TO THE EFFECT AN AUDIT WOULD HAVE ON STUDENT GOVERNMENTS' RESPONSIBILITY AND AUTHORITY OVER THE ALLOCATION AND EXPENDITURE OF THE ACTIVITY FEE

Responses	Implementors n=29	Percent
No effect on student government	9	31
Establish a clear accounting of how the activity fund is being expended	6	21
Establish that student government is expending the activity fund with fiscal propriety . . .	18	62
Document the need for more efficient student government and university record keeping procedures	7	24
Require that student government put the activity fund guidelines into writing	10	34

[a] Multiple responses permitted.

As table 10 shows, eighteen Implementors reported that an audit would establish that the student governments were expending the activity fund with fiscal propriety.

Table 11 shows the other forms of accountability that the twenty-nine Implementors stated should be required of the student governments. The data in table 11 indicate that eight of the Implementors supported the development of procedures that would give student government authority

TABLE 11

IMPLEMENTORS' RESPONSES[a] TO THE OTHER FORMS OF ACCOUNTABILITY THAT SHOULD BE REQUIRED OF STUDENT GOVERNMENT

Responses	Implementors n=29	Percent
Categorical allocations (i.e. OPS, OCO, Expense, Salary) instead of the current lump sum allocations	3	10
Student referendum to determine whether or not the student population wants to continue paying the activity fee	6	21
Procedures that would give student government authority to monitor and audit activity fee accounts	8	28
Student government officers (i.e. president or chairperson and treasurer) should have signatory authority over all activity fee expenditures	7	24
Employment of a full-time student government accountant	2	7
Extensive regulations that would cover all expenditures of the activity fee	4	14
No other forms of accountaiblity .	7	24

[a] Multiple responses permitted.

to monitor and audit all activity fee accounts. Seven of the Implementors stated that there should be no other forms of accountability. An additional seven Implementors stated that the student government president or chairperson and the treasurer should have signatory authority over all activity fee expenditures.

As illustrated in table 6, eleven procedures were employed in the implementation of Chapter 74-312(3), Laws of Florida, thus the second structural question asked in chapter one has been answered.

Inceptors' and Implementors' Responses, Additions, or Changes in Chapter 74-312(3), Laws of Florida

This section will answer the third structural question listed in chapter one: What changes should be made in Chapter 74-312(3), Laws of Florida? To answer this question the investigator's last question in the three Interview Schedules asked all forty-one respondents (Inceptors and Implementors) for their opinion on additions or changes that might be made in Chapter 74-312(3), Laws of Florida (student activity fee).

Table 12 shows the forty-one respondents' opinions on the additions or changes in Chapter 74-312(3), Laws of Florida. As the data in table 12 indicate, there are seventeen additions or changes that the forty-one respondents recommended. The most frequent change, as recommended by twenty of the respondents, suggested deleting the admissions clause from the current statute. The deleted section of the law would read:

TABLE 12

INCEPTORS' AND IMPLEMENTORS' RESPONSES[a] TO THE ADDITIONS OR CHANGES IN CHAPTER 74-312(3), LAWS OF FLORIDA

Additions or Changes	Interviewees n=41
Delete from Chapter 74-312(3), Laws of Florida the phrase "but not to the benefit of activities for which an admission fee is charge to students except for intercollegiate athletics	20
Clarification as to whether or not the student activity fee is considered state funds	16
Clarify the ambiguity between holding the president of the university responsible for the total operation of the university and the fact that Chapter 74-312(3), Laws of Florida gives statutory authority for one of the university budget entities to the various student governments	15
Clarify the use of the student activity fee to underwrite individual student expenditures for out-of-state trips to conferences and conventions	15
There should be no change in Chapter 74-312(3), Laws of Florida	14
Chapter 74-312(3), Laws of Florida should be changed so that the activity fee and service fee segments of the activity fund are separate and distinct . .	7
A statement should be added to the current law that would require the university administration and the student government to enter into binding arbitration in the event of an unsigned activity fee budget	7
A procedure should be developed that would guarantee that any funds vetoed by the president and not allocated to the health service, intercollegiate athletics, or bond of indebtedness, should revert to the student government for their reallocation	7
The law should be amended to read the president of the university can veto and reallocate the activity fund to any area he thinks best for the total university	7

TABLE 12--continued

Additions or Changes	Interviewees n=41
The law should be amended to state that the Florida Board of Regents shall adopt rules to regulate the activity fee process. The Board of Regents manual should indicate that each university will adopt its own rules for the activity fee process	6
A gradual inflationary clause should be incorporated into the Florida Board of Regents rules and regulations that would stipulate that as tuition changes, the amount of the per credit hour for the activity fee will change proportionally	6
Rules and regulations should be established jointly by the staff of the Florida Board of Regents, the members of the State Council of Student Body Presidents, and members of the Florida Association of Student Senates that would clarify the ambiguity in the law	3
Student governments should be given a charter by the state of Florida legislature which would give them the same legal status as a municipality or community	1
Regulations should be developed that would equitably deal with the branch campuses and educational centers within the State University System	1
Insert in the current law the word service after every reference to the phrase student activity fee	1
Student government should be allowed to use the activity fund as seed money to generate funds for certain student entertainment	1
The president of the university should be allowed to reallocate the funds to health services, intercollegiate athletics, current bond obligations, or career service lines	1

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[a] multiple responses were permitted so the categories are not mutually exclusive

> . . . student body in general, including but not limited to student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion, ~~but-not-to-the-benefit-of-activities-for which-an-admission-fee-is-charged-to-students, except-for-intercollegiate-athletics.~~[1]

The rationale used by the twenty respondents for deleting the admissions charge from the current statute focused on the spiraling costs for campus entertainment. It was the opinion of these respondents that the deletion of the admissions charge clause would allow local campus option to charge a nominal admission fee which would counterbalance the spiraling costs of campus entertainment.

The second most frequently recommended change focused on the need for a clarification as to whether or not the student activity fee is considered state funds and consequently under the purview of the expenditure guidelines for all state funds. Sixteen respondents stated that the confusion stems from the 1974 attorney general of Florida's opinion and the 1976 opinion of an assistant attorney general.

In 1975 the attorney general of Florida stated that "in the classical sense the activity fund is not state funds (pursuant to Section 240.095, Florida Statutes), and therefore the activity fund could be used to maintain a student lobby."[1] Early in 1976, the student government at the University of South Florida asked an assistant attorney general of Florida if they could use the activity fund to secure the services of an attorney. The assistant attorney general told the student government representatives that state funds could not be used to secure the services of an attorney.

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[1] Laws of Florida, Chapter 74-312(3), 1974.

As illustrated in table 12, there were seventeen additions or changes that the forty-one respondents recommended for Chapter 74-312(3), Laws of Florida. The data contained in table 12 answer the third structural question listed in chapter one.

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[1] Robert L. Shevin, "Use of Student Activity Fees for Lobbying Purposes," AGO 075-193 (memorandum), 13 June 1975.

CHAPTER V

SUMMARY, INTERPRETIVE CONCLUSIONS, AND RECOMMENDATIONS

The purpose of this study was to analyze the inception and implementation of Chapter 74-312(3), Laws of Florida (Deposit of funds received by institutions and agencies in the State University System of Florida--student activity fee). This analysis was accomplished by (1) identifying the critical incidents that led to the inception and passage of Chapter 74-312(3), Laws of Florida, and (2) reviewing the implementation procedures used by the student government associations at the nine state universities in the State University System of Florida.

The literature reviewed showed that the student within the university system has been able to influence policy formation by expressing opinions on the college calendar in the 1920s to the 1970s when university students participated as voting members on Boards of Trustees. The literature also described student lobbying as a method used by students in the mid-1970s to change policy formation within institutions of higher education.

Data were obtained through the use of three Interview Schedules, which were administered to three groups of respondents. The first group of respondents was identified as Inceptors. An Inceptor was an individual who was identified or cited in relation to the activity fee bill at least three times in one or more of the following: (1) a legislative committee report, (2) a State University System memorandum, or (3) a regional or university student newspaper article. The second group of respondents was identified as Implementors. The Implementors were subdivided into two categories, which were defined as (1) an individual in the State University System of Florida who had been designated by the president of the university to assist, advise, or supervise the allocation and expenditure of the activity fee of the officially elected student government, or (2) an individual who had been officially elected or appointed to the position of president or chairperson of the officially elected student government at one of the nine state universities. There were twelve Inceptors and twenty-nine Implementors who consented to participate in this study.

Interpretive Conclusions

An inquiry into the genesis of Chapter 74-312(3), Laws of Florida, suggests several conclusions which address the three structural questions cited in chapter one. These questions preceded from the concern about the important factors leading to the enactment of Chapter 74-312(3), Laws of Florida, about the procedures in use by the nine state university student governments to implement this law, and about the need for policy analysis of potential changes in and alternatives to this law. In the process of describing the development of this legislation, this investigator concluded that the particular conditions of the legislative context shaped the purpose for, objectives of, and methods by which this law was developed. The content of this law has been treated earlier in this study, but the manner in which the content was shaped by the legislative process is now to be addressed.

Structural Question One

The first structural question cited in chapter one addressed the critical incidents that led to the inception and passage of Chapter 74-312(3), Laws of Florida. Based on the findings of this study, it was concluded that the critical incidents should be considered in the context of the legislative process. One way of interpreting the impact of the legislative process upon the development of the law is to view the process as essentially in a gamelike decision structure. Accordingly, this investigator developed five decision types which characterize the legislative process and describe the development of the activity fee legislation. The five decision types are: (1) entry and exit, (2) adequacy of information, (3) voting mechanisms, (4) potential rounds, and (5) trade-offs.

The first of these decision types is entry and exit. The criteria which underlie this decision type determine who will become the players associated with a given piece of legislation. Unless a person is recognized as having standing in the legislative process, the playing of the game itself is not possible. In applying this decision type to the results of this study, this investigator determined that the major players were the student lobbyists, legislators, legislative staff, and State University System administrators. Each of these players was recognized in that he or she had a right to participate in the development of the legislation.

The second of the five decision types characterized in the legislative process is in the adequacy of information. A person may achieve standing as a player in a game, but without adequate information it is unlikely that the individual will become a successful player. It is therefore important that information be acquired, shaped, and communicated successfully in the legislative context. In applying this decision type to the results of this study, information about the problem to which Chapter 74-312(3), Laws of Florida, was responsive flowed from different sources. One source included the reported change in the authority of student governments for the allocation of the activity fee within the State University System.[1]

The third of the five decision types is based in the voting mechanism which deals with how decision points are reached. Such mechanisms included formal voting, in assembly or in committee; procedural activities such as adjournment; calling or cancelling committee meetings; permitting legislators to speak, and the skillful use of parliamentary rules of order. These mechanisms also refer to the important informal activities which frequently underlie the reaching of decisions. These include informal caucuses, friendships, constituent pressure, lobbying activities, personal encounters on tennis courts, at cocktail parties and in barrooms. In this study, these voting mechanisms played a crucial role in the development and passage of the law. Examples of the voting mechanism include the daisy-chaining or bill riding of the activity fee legislation on the non-controversial credit card bill, and the delay of consideration of the amended bill (credit card and activity fee) to the last day of the 1974 legislative session.[2]

The fourth of the five decision types appears in potential rounds which allows for an individual having been unsuccessful in one area of a decision structure to have an opportunity to be successful in another area of that structure. In this study when the student lobbyists were informed by the staff of the house education committee that a student activity fee bill would not pass, the students secured support and a sponsor for the legislation in the senate.

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[1] A complete description of this source is found in chapter four and appendix J of this study.

[2] A complete description of these voting mechanisms is found in chapter four of this study.

The fifth of the decision types relates to trade-offs. This decision type sets up the conditions for a variety of forms of behavior which function as motives and incentives for legislative activities. Such behavior includes exchange of promises of reward and support, threats, and compromise. An illustration of the trade-off decision type in this study occurs in the "York-Gordon" compromise.[1] In this trade-off, the senate sponsor of the activity fee legislation agreed to amend the original legislation to secure a favorable committee vote.

The preceding analysis of the legislative process as a gamelike structure characterized by five major types of decisions is intended to demonstrate the relationship between the process and substance in the inception and passage of Chapter 74-312(3), Laws of Florida. This investigator has concluded that a set of critical incidents led to the inception and passage of this law. Some of these incidents were predisposing as in the change in the authority of student governments for the allocation of the activity fee within the State University System of Florida and the activities of the student lobbyists. Others were directly precipitative, for example, the "York-Gordon" compromise, the political strategy of daisy-chaining, and the consideration of the activity fee bill on the last day of the 1974 legislative session.

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[1] A complete description of the "York-Gordon" compromise is found in chapter four of this study.

Structural Question Two

The second structural question cited in chapter one addressed the procedures used by the nine state universities to implement the law. To answer this question, this investigator asked eighteen of the Implementors to describe the procedures that are used to implement the activity fee law on their respective campuses. The procedures which the nine state universities have designed to implement Chapter 74-312(3), Laws of Florida, are particular to each university. However, upon a closer examination, this investigator concluded that these distinctive procedures constitute clear-cut processes. One of these is a budget building and allocation process. Another is a review process. Still another is an administrative process; finally there is considered in all these procedures and the interaction of the procedures a political process. These procedures, therefore, should not be looked at simply as tools for implementing this law, but rather they should be considered expressions of values whose significance to the educational process should be evaluated. Shared governance, learning by doing, and ethical standards of conduct are shared values that are demonstrated in these procedures.

This investigator determined that the procedures that constitute the budget building and allocation process included (1) published activity fee guidelines, (2) issuance of enrollment projections, (3) advertising the availability of the activity funds, and (4) request for and receipt of budget requests by agencies.

Those procedures which constitute the review process included (1) student budget committee hearings, (2) student government altering, reviewing, and approving the activity fee budget, and (3) university administration review of the student government approved activity fee budget.

Those procedures which constitute the administrative process included (1) student governments' monitoring of activity fee accounts, (2) student budget committee's review of the activity fee expenditures, and (3) the university president's veto authority of the activity fee budget.

Those procedures which constitute the political process are the interactions that occur between (1) the student government leadership, (2) student government senates, (3) agencies funded by the activity fee, and (4) the university administration.

Structural Question Three

The third structural question cited in chapter one addressed the changes, if any, which should be made in Chapter 74-312(3), Laws of Florida. Opinions about these changes were solicited from the forty-one respondents included in this study, with a number of changes suggested. This investigator has concluded that these suggestions should be viewed as hypotheses for policy analysis. In assessing policy alternatives, it is important not only to understand the source and content of the suggested change but also to assess the potential consequences if the policy proposal were to be adopted and implemented.

The changes recommended by the forty-one respondents suggest issue convergence. This convergence occurs in the authority the student government and the university president have over the usage of the activity fee funds, ambiguity of authority over the activity fee funds, the division of the activity fee budget entities, the special role of the educational centers and branch campuses, and the admissions clause.

A first area of issue convergence includes the authority over the usage of the activity fee. One example of this includes a request of the Florida Board of Regents to develop procedures that would allow student government the authority to audit all activity fee accounts and activity funded agencies. A second example focuses on the authority of the university president to veto and reallocate the activity fee to any area that he thinks is in the best interest of the university.

A second area of issue convergence occurs in the ambiguity of authority over the activity fee funds. Examples of this include the classification of the activity fee as state or non-state funds and the expenditure of the activity fee not for the general welfare of the student body.

A third area of issue convergence relates to the distinction of the activity fee and service budget entities. Some of the respondents recommended that Chapter 74-312(3), Laws of Florida, be amended to distinguish between these two budget entities. It was also recommended that the activity fee entity be allocated by the student governments and the service fee entity be allocated by the university administration.

A fourth area of issue convergence relates to the special role of the educational centers and the branch campuses in the State University System of Florida. It was recommended by some of the respondents that the Board of Regents develop provisions that would return the assessed and collected activity fee to the educational centers and branch campuses.

The fifth area of issue convergence focuses on the admissions clause included in Chapter 74-312(3), Laws of Florida. Some of the respondents suggested that this clause be deleted from the current law to allow for greater campus autonomy and to compensate for the rising costs of activity fee sponsored events.

Recommendations for Further Research

The findings and conclusions of the study lead this investigator to make the following recommendations for further research:

1. A study should be undertaken that would evaluate the effectiveness of the student governments to allocate and expend the activity fee. The outcome of such a study could provide information that would allow for an objective assessment of the activity fee law.

2. Research should be undertaken that would describe how student governments outside the state of Florida administer their activity fee. This study could include junior and community colleges and public and private universities.

3. Research should be undertaken that would describe the influence that student lobbyists, at the state and national level, have on legislation, issues, and policies that affect institutions of higher education.

4. A research study should be developed that would review the new methods and strategies of student participation within institutions of higher education. This study could compare the effectiveness of the new student participation strategies and the strategies used by students in the 1950s and 1960s.

5. A study should be undertaken that would assess the needs of the students attending institutions of higher education during the 1970s and the effectiveness of student governments to represent these needs.

6. Research should be undertaken that would examine the legal relationships of student governments to the public and private university. The question of university liability for student government incurred obligations and contracts was raised during the tort action in Trundle v. Duncan.

APPENDICES

APPENDIX A

THE UNIVERSITY OF SOTUH FLORIDA STUDENT GOVERNMENT
V.
FRANCES V. TRUNDLE
336 SO. 2d 488, FLA. 2nd. DIST. COURT APP.
1976

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
PETITION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

SECOND DISTRICT

JULY TERM, A. D. 1976

THE UNIVERSITY OF SOUTH)
FLORIDA STUDENT GOVERNMENT,)
an unincorporated association,)
)
Appellant,)
)
v.) CASE NO. 75-1741
)
FRANCES V. TRUNDLE,)
)
Appellee.)

Opinion filed July 23, 1976.

Interlocutory appeal from
the Circuit Court for
Hillsborough County:
James S. Moody, Judge.

H. Glenn Waddell of
Shackleford, Farrior,
Stallings & Evans, P.A.,
Tampa, for Appellant.

Arnold D. Levine of Levine,
Freedman & Hirsch, P.A.,
Tampa, for Appellee.

GRIMES, Judge.

The appellee sustained a back injury while participating in a self-defense class sponsored by Student Government at the University of South Florida. Alleging negligence on the part of her instructor, she brought suit against him, the Board of Regents and "the University of South Florida Student Government, an unincorporated association." Appellant sought to effect service upon Student Government by serving its president. Student Government filed a motion to quash process and service of process. The motion was denied on the premise that the 20,000 members of the Student Government were properly served as a class under RCP 1.220. This is an interlocutory appeal from the order of denial.

Much of the argument before this court has centered upon whether an unincorporated association can be sued and served as a separate entity. Student Government points out that under the common law rule, the only way to obtain jurisdiction over an unincorporated association is to serve each of its members. Johnston v. Albritton, Fla. 1931, 134 So. 563; Walton-Okaloosa-Santa Rosa Medical Society v. Spires, Fla. App.1st, 1963, 153 So.2d 325. Appellee argues that by virtue of holding itself out to conduct activities such as the self-defense class, the association is estopped from denying its existence as a legal entity. _See_ Teubert v. Wisconsin Interscholastic Athletic Association, Wis. 1959, 99 N.W.2d 100; Clark v. Grand Lodge of Brotherhood of Railroad Trainmen, Mo. 1931, 43 S.W.2d 404; _cf_. Mercury Cab Owners' Association v. Jones, Fla. 1955, 79 So.2d 782. We find it unnecessary to resolve this issue because we have concluded that the University of South Florida Student Government is an instrumentality of the state.

Under Chapter 240, Florida Statutes, the Board of Regents is charged with the responsibility of operating the state's university system. Pursuant to Fla. Stat. §240.042(2)(a) (1974), the Board of Regents is empowered to establish rules under which the state's university system shall be managed. Student Government is authorized under Board of Regents Rule 6C-6.12 with the provise "that ultimate authority for university affairs rests with the administration of each university." The president of the university maintains a veto over the budgeted expenditures of Student Government from student activity fees. Fla. Stat. §240.0951 (1974). While Student Government is granted certain freedoms, the final authority for its activities necessarily rests with the president of the university.

Thus, it is that University of South Florida Student Government is created and controlled by the State of Florida and has no existence separate and apart from the state.[1] Jurisdiction over the state cannot be acquired by service of the president of Student Government. Therefore, the motion to quash service should have been granted.

REVERSED.

HOBSON, A.C.J., and SCHEB, J., Concur.

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[1] Tactically, the question of whether Student Government is an instrumentality of the state may be exceedingly important in this case because appellee's injury occurred at a time when the state maintained sovereign immunity.

APPENDIX B

COMMISSIONER RALPH D. TURLINGTON's COMMENTS

The passage of Chapter 74-312(3), student activity fee, has given students in the SUS a new mechanism for intra-institutional student participation. The allocation and expenditure provisions of this chapter have given student government associations in the SUS a vehicle to influence and effect fiscal decisions within their institutions.

From an historical standpoint this study will trace the events and people who had an effect on the inception and passage of Chapter 74-312(3). From a managerial perspective you plan to collect procedural information that relates to the implementation of the student activity fund by the nine student governments. As I have stated in the past, as Commissioner of all public education in the state of Florida (K-12, Community Colleges, and the state universities), graduate research must have immediate relevance. The inclusion in this study of possible changes in Chapter 74-312(3) could provide valuable information to the Department of Education, the legislature of Florida, and the Florida Board of Regents.

Ralph D. Turlington

Ralph D. Turlington
Commissioner of Education
Florida Department of Education
Comments made in a personal interview with Joseph E. Kaplan on his dissertation study of Chapter 74-312(3), Laws of Florida (student activity fee).

APPENDIX C

COMMENTS SUPPORTING RESEARCH-DR. RICHARD E. HULET

1. The results of this study could be beneficial to other universities and states contemplating similar legislation. The Dean of Students at the University of Miami contacted the office of Student Affairs, Florida Board of Regents, in November, 1976, in reference to implementation of a student government allocated student activity fee.

2. The results of this study could serve as a primary document for an evaluative study that could be conducted on the merits of Chapter 74-312(3), Laws of Florida.

Richard Hulet
Director of Student Services
Florida Board of Regents

Comments made in a personal interview with Joseph E. Kaplan on his dissertation study, Chapter 74-312(3), Laws of Florida.

APPENDIX D

INCEPTORS" INTERVIEW SCHEDULE

Inceptors' Interview Schedule

My study, which is part of the doctoral program progression at the Florida State University, is intended to determine the factors which led to the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida--Deposit of Funds Received by Institutions and Agencies in the State University System (student activity fee). The ultimate goals of this study are: (1) to trace the steps which were necessary to pass this legislation, (2) to delineate the procedures used to implement the student activity fee on each of the nine campuses in the State University System of Florida, and (3) to determine what changes are needed for Chapter 74-312(3), Laws of Florida.

You have been chosen to participate in this study because you have been cited in the preliminary research of the legislative committee reports and articles in state and student newspapers on Chapter 74-312(3), Laws of Florida. You are no doubt familiar with the incidents that were associated with the drafting and passage of Chapter 74-312(3), Laws of Florida.

Inceptors' Interview Questions

Section One:

(1) In 1974, prior to the passage of the statute that dealt with the student activity fee, this fee was allocated by the university administration after consultation with students. What persons or events made you aware of a need to change the allocation procedure of the student activity fee?

(2) General Bill S1004--Student Activity Fees, was introduced on April 25, 1974, and referred to Education, Ways and Means. On May 29, 1974, HB 2892 (Credit Card) was amended to include the provisions of S1004 (student activity fees). To the best of your recollection, what events transpired between these two dates (introduction and passage) that relate specifically to the student activity fee?

(3) During the 1974 committee hearings on the student activity fee, several opposing issues were raised. It was argued that student government was not representative of the student population because of the low student voter turnout. On the other hand it was pointed out that student voter turnout was directly proportionate to the power and authority that student government has over the allocation of student monies. What other pro and con issues were raised about the student activity fee prior to its passage?

Section Two:

(1) It has been suggested by selected state of Florida legislators and State University System administrators that an addition to or change in the Board of Regents policy or state statute be made in Chapter 74-312(3), Laws of Florida (student activity fee). In your opinion, what should these additions or changes be?

APPENDIX E

CHIEF STUDENT PERSONNEL ADMINISTRATORS' INTERVIEW SCHEDULE

Chief Student Personnel Administrators of the State University System Interview Schedule

My study, which is part of the doctoral program progression at the Florida State University, is intended to determine the factors which led to the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida--Deposit of Funds Received by Institutions and Agencies in the State University System (student activity fee). The ultimate goals of this study are: (1) to trace the steps which were necessary to pass this legislation, (2) to delineate the procedures used to implement the student activity fee on each of the nine campuses in the State University System of Florida, and (3) to determine what changes are needed for Chapter 74-312(3), Laws of Florida.

The reason that you have been chosen as one of the resource persons for this study is because of your current position as chief student personnel officer who advises, assists, and supervises the student government's allocation and expenditure of the student activity fee on your campus. In this position you are aware of the procedures that are used to implement the student activity fee on your campus.

Chief Student Personnel Officers' Interview Questions

Section One:

(1) Florida Statutes 240.001 charges the Board of Regents with the following: "To provide the fullest possible realization of democracy; teach principles of patriotism, civil obligation, and respect for the law; teach and develop lawful methods of change and improvement in the existing political and social order."

a. Specifically on this campus, how has the passage and implementation of Chapter 74-312(3), *Laws of Florida*, addressed this charge?

b. What opportunities are available to students on this campus which fulfill this charge?

(2) As cited in Chapter 74-312(3), *Laws of Florida*, "The several state universities are authorized to collect a student activity fee . . . the allocation and expenditure of the student activity fund shall be determined by the student government association at each university." Allocation procedures could include campus-wide committees, open budget hearings, public policy documents.

a. What allocation and expenditure procedures are employed on this campus by the student government to allocate and expend the student activity fee?

b. What responsibility does the chief student personnel officer and his/her designee assume with regard to the allocation and expenditure procedures?

Section Two:

(1) In 1974, a student body president in the State University System of Florida commented that "on-campus (student) voter participation is directly proportionate to the amount of influence student government has over student monies."

a. What effect has student government's responsibility for and authority over the student activity fee had on student voter participation on this campus?

b. What other influence may affect the student voter participation on this campus?

(2) Two state of Florida legislators recommended an audit be conducted of student government's allocations and expenditure of the student activity fund.

a. How would an audit affect student government's responsibility for and authority over the allocation and expenditure of the student activity fee on this campus?

b. Should other forms of accountability be required of the student government in addition to an audit?

(3) It has been suggested by selected state of Florida legislators and State University System administrators that an addition or change in Board of Regents policy or state statute be made in Chapter 74-312(3), Laws of Florida (student activity fee). In your opinion, what should these additions or changes be?

APPENDIX F

STUDENT GOVERNMENT CHAIRPERSON OR PRESIDENTS' INTERVIEW SCHEDULE

Student Government Chairperson or Presidents' Interview Schedule

My study, which is part of the doctoral program progression at the Florida State University, is intended to determine the factors which led to the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida--Deposit of Funds Received by Institutions and Agencies in the State University System (student activity fee). The ultimate goals of this study are: (1) to trace the steps which were necessary to pass this legislation, (2) to delineate the procedures used to implement the student activity fee on each of the nine campuses in the State University System of Florida, and (3) to determine what changes are needed for Chapter 74-312(3), Laws of Florida.

The reason that you have been chosen as one of the resource persons for this study is because of your current position as president or chairperson of your student government. In this position you are not doubt familiar with the procedures that are used on your campus to implement the student activity fee.

Student Government Chairperson or Presidents' Interview Schedule

Section One:

(1) Florida Statutes 240.001 charges the Board of Regents with the following: "To provide the fullest possible realization of democracy; teach principles of patriotism, civil obligation, and respect for the law; teach and develop lawful methods of change and improvement in the existing political and social order."

a. Specifically on this campus, how has the passage and implementation of Chapter 74-312(3), *Laws of Florida*, addressed this charge?

b. What opportunities are available to students on this campus, which fulfill this charge?

(2) As cited in Chapter 74-312(3), *Laws of Florida*, "The several state universities are authorized to collect a student activity fee . . . the allocation and expenditure of the student activity fund shall be determined by the student government association at each university." Allocation procedures could include campus-wide committees, open budget hearings, public policy documents.

a. What allocation and expenditure procedures are employed on this campus by the student government to allocate and expend the student activity fee?

b. What responsibility does the chief student personnel officer and his/her designee assume with regard to the allocation and expenditure procedures?

Section Two:

(1) In 1974, a student body president in the State University System of Florida commented that "on-campus (student) voter participation is directly proportionate to the amount of influence student government has over student monies."

a. What effect has student government's responsibility for and authority over the student activity fee had on student voter participation on this campus?

b. What other influence may affect the student voter participation on this campus?

(2) Two state of Florida legislators recommended an audit be conducted of student government's allocations and expenditure of the student activity fund.

a. How would an audit affect student government's responsibility for and authority over the allocation and expenditure of the student activity fee on this campus?

b. Should other forms of accountability be required of the student government in addition to an audit?

(3) It has been suggested by selected state of Florida legislators and State University System administrators that an addition or change in Board of Regents policy or state statute be made in Chapter 74-312(3), Laws of Florida (student activity fee). In your opinion, what should these additions or changes be?

APPENDIX G

INTERVIEW INTRODUCTION, DEFINITIONS, AND PROCEDURE

Introduction

The purpose of this study is to describe the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida--Deposit of Funds Received by Institutions and Agencies in the State University System (student activity fee). An Interview Schedule has been designed to gather information from those who participated in the inception, passage, or implementation of Chapter 74-312(3), Laws of Florida.

Please read through all the materials contained in the Interview Schedule prior to the formal interview.

Definitions

1. Student activity fee--as affirmed by the Laws of Florida is a component of the registration and tuition fee with the amounts approved by the Florida legislature. The student activity fee is paid into a student activity fund at each state university, and it is to be expended for lawful purposes to benefit that student body in general, including but not limited to student publications and grants to duly recognized student organizations . . . but not to the benefit of activities for which an admission fee is charged to students except for intercollegiate athletics.

2. State University System--consists of the nine universities whose rules, regulations, and policies are established by the Board of Regents.

3. Laws of Florida--a public document promulgated for the purpose of informing the public of Acts passed by the legislature of the state of Florida.

4. Chief student personnel officer--the person on each campus in the State University System of Florida who assists, advises, and supervises the allocation and expenditure of the student activity fee by the student government association and is responsible to the president of the university for the allocation and expenditure of the student activity fee.

Interview Procedure

1. After an appointment has been scheduled, Section One of the Interview Schedule will be mailed to the participants in the study. Section Two of the Interview Schedule will be brought to the interview by the investigator. The questions in Section Two require a spontaneous response from the participants.

2. An interview will be scheduled with each participant during the months of January, February, or March, 1977. If a convenient location for a personal interview cannot be arranged, a telephone interview will be substituted. A mail interview will be used for one of the participants residing outside of the continental United States.

3. The participant will be asked questions set forth in the Interview Schedule. Section One was previously forwarded to the participant and questions in Section Two will be presented by the investigator. There will be two Interview Schedules. The first schedule will be for the Inceptors and the second will be for the Implementors. The participants in each group will be encouraged to respond freely and will be assured that participants in this study will not be identified on an individual basis, but grouped as Inceptors or Implementors.

APPENDIX H

INTERVIEW PARTICIPANTS

Interview Participants

Section 1--Inceptors
Sections 2 and 3--Implementors

Section 1

Persons involved in the inception of Chapter 74-312(3), Laws of Florida (student activity fee)

1. David Aronofsky, Education Consultant in Chile, South America, former President of the Student Government at Florida State University
2. Tom Furlong, Associate for Policy Analysis, Department of Education
3. Phil Goldhagen, Director of Special Projects, former Director of House Education Committee
4. Senator Jack Gordon
5. Senator Robert Graham
6. Richard Hulet, Director of Student Services, Board of Regents, State University System
7. Ernie Litz, Staff, Department of Administration
8. Douglas Mannheimer, Law student at Florida State University, former member of the Student Government at Florida State University
9. Jan Pietrzyk, Graduate of Florida State University, former Vice President of the Student Government at Florida State University
10. Apollo Visko, Director of the Florida Student Association, former President of the Student Government at Florida State University
11. E. T. York, Chancellor of the Board of Regents for the State University System
12. Nance Guenther, former President of the Student Government at Florida Atlantic University

Section 2

Chief student personnel officer or designee at each of the nine state universities (implementors)

1. Mrs. A. L. Cooper, Dean of Student Affairs, Florida Agricultural and Mechanical University, Tallahassee
2. Dr. Karl F. Ijams, Dean of Student Affairs, Florida Atlantic University, Boca Raton
3. Ms. Gerri Frazier, Assistant Dean of Student Affairs, Florida Atlantic University, Boca Raton
4. Dr. Sandra J. Clark, Dean for Student Services, Florida International University, Miami
5. Ms. Lillian Kopenhaver, Coordinator of Student Activities, Florida International University, Miami
6. Mrs. Louise Goldhagen, Acting Chief Student Affairs Officer, Florida State University, Tallahassee
7. Dr. W. Rex Brown, Vice President for Student Affairs, Florida Technological University, Orlando
8. Dr. William Brown, Associate Vice President for Student Affairs, Florida Technological University, Orlando
9. Dr. C. Arthur Sandeen, Vice President for Student Affairs, University of Florida, Gainesville
10. Dr. Darwin Coy, Dean for Student Affairs, University of North Florida, Jacksonville
11. Dr. Joseph Howell, Vice President for Student Affairs, and University Development, University of South Florida, Tampa
12. Dr. Charles Hewitt, Assistant Vice President for Student Affairs, University of South Florida, Tampa
13. Mr. Dan Walbolt, Assistant Vice President for Student Affairs, University of South Florida, Tampa
14. Dr. Linda Dye, Director of Student Affairs, University of West Florida, Pensacola

Section 3

Student government presidents or chairpersons at each of the nine state universities (implementors)

1. Ms. Sheryl Mobley, President, Student Government, Florida Agricultural and Mechanical University, Tallahassee
2. Ms. Dorothy Walker, President, Student Government, Florida Atlantic University, Boca Raton
3. Mr. Joe Cafaro, Vice President, Student Government, Florida Atlantic University, Boca Raton
4. Mr. Tim Monaghan, Controller, Student Government, Florida Atlantic University, Boca Raton
5. Mr. Mark Griffiths, Annex Director of the Florida Student Association, Florida Atlantic University, Boca Raton
6. Mr. Jose Eiriz, Chairperson, Student Government, Florida International University, Miami
7. Mr. Steve Powell, President, Student Government, Florida State University, Tallahassee
8. Mr. Charles Hackney, Vice President, Student Government, Florida State University, Tallahassee
9. Mr. Rick Walsh, President, Student Government, Florida Technological University, Orlando
10. Mr. Dan Lobeck, President, Student Government, University of Florida, Gainesville
11. Ms. Mary Ann Waters, President, Student Government, University of North Florida, Jacksonville
12. Mr. Joseph Smyth, Vice President, Student Government, University of North Florida, Jacksonville
13. Ms. Yvonne Berry, President, Student Government, University of South Florida
14. Mr. William "Bucky" Thompson, President, Student Council, the University of West Florida
15. Ms. Manette M. Magera, Vice President, Student Council, the University of West Florida

APPENDIX I

LETTERS OF ENDORSEMENT

STATE OF FLORIDA
DEPARTMENT OF EDUCATION
TALLAHASSEE 32304

RALPH D. TURLINGTON
COMMISSIONER

WM. CECIL GOLDEN
ASSOCIATE DEPUTY COMMISSIONER
FOR EDUCATIONAL MANAGEMENT

December 23, 1976

Dr. Philip Goldhagen
Special Projects Director
Florida Department of Education
347 Miles Johnson Building
Tallahassee, Florida 32304

Dear Phil,

I am writing to encourage your participation in the dissertation study of Mr. Joseph E. Kaplan, a doctoral candidate in post-secondary education, studying under Dr. Melvene D. Hardee at the Florida State University. His study is of the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida--Deposit of Funds Received by Institutions and Agencies in the State University System (student activity fee).

Mr. Kaplan would like to interview the lawmakers, legislative staff, State University System administrators, and students who were directly involved in the drafting and passage of Chapter 74-312(3), Laws of Florida.

Mr. Kaplan will be getting in touch with you in January, 1977, to arrange a convenient time when he can conduct an interview with you. It is my understanding that the interview will require no more than one hour and that you will be sent some of the questions in advance of the interview. I feel confident of the professional manner in which the study will be conducted and I hope that you will grant Mr. Kaplan an interview. The study should be of interest and helpful.

Sincerely,

Ralph

Ralph D. Turlington
Commissioner of Education

jdo

cc: Joseph E. Kaplan

STATE UNIVERSITY SYSTEM OF FLORIDA
107 W. Gaines Street, Tallahassee, Florida 32304

December 5, 1976

Dr. Arthur Sandeen
Vice President for Student Affairs
University of Florida
121 Tigert Hall
Gainesville, Florida 33264

Dear Art:

I am writing the members of the Council of Student Affairs to encourage your participation in the dissertation study of Mr. Joseph E. Kaplan, a doctoral candidate in postsecondary education, studying under Dr. Melvene D. Hardee at the Florida State University. Mr. Kaplan has asked for my support of his dessertation study, an analysis of the inception, passage, and implementation of Chapter 74-312(3), Laws of Florida--Deposit of Funds Received by Institutions and Agencies in the State University System (student activity fee).

Mr. Kaplan would like to interview the Chief Student Affairs officers at each of the state universities and others who work most directly with the student government and the student activity fee. I hope that you will grant Mr. Kaplan an interview and offer him whatever assistance you can to assure the success of his study. Mr. Kaplan will be getting in touch with you in December to arrange a convenient time for your interview.

Sincerely,

Richard E. Hulet

cc: Joseph E. Kaplan

University of Florida · *Florida State University* · *Florida A. & M. University* · *University of South Florida* · *Florida Atlantic University*
Gainesville · *Tallahassee* · *Tallahassee* · *Tampa* · *Boca Raton*
University of West Florida · *Florida Technological University* · *University of North Florida* · *Florida International University*
Pensacola · *Orlando* · *Jacksonville* · *Miami*

APPENDIX J

CASE STUDY-FLORIDA STATE UNIVERSITY

In the process of researching the state and regional newspapers, legislative committee reports, State University System memoranda, and conducting interviews with the Inceptors, this investigator determined that the activities that had transpired between the student government and the administration at Florida State University were factors in the inception of the student activity fee bill. The following is a case study from the results obtained from the aforementioned documents and Inceptors' interviews.

The first event reported by four of the Inceptors focused on student governments' reduced authority for the allocation of the student activity fee at Florida State University. The activity fee breakdown per student at Florida State University for the fiscal years 1972-73 and 1973-74 appears in table 13.

TABLE 13

ACTIVITY FEE ALLOCATION BREAKDOWN PER STUDENT AT FLORIDA STATE UNIVERSITY FOR THE FISCAL YEARS 1972-73 AND 1973-74

Category	Dollar Amount	Percent of Total	Dollar Amount	Percent of Total
Health Center . . .	$ 15.00	43.5	$ 15.20	44.1
Union	5.50	16.0	5.70	16.5
Activities and Organizations[a]. .	6.50	18.8	6.50	18.8
Athletics	3.50	10.1	5.90	17.1
Publications	2.00	5.8	. . .	. . .
Reserve	2.00	5.8	1.20	3.5
Total	$ 34.50[b]	100.0	$ 34.50	100.0

SOURCE: Richard Johnson, "Student Budget Committee Begins Trimming Fat to Stay Within University Allocations," Tallahassee Florida Flambeau (student newspaper), 7 March 1973, p. 1.

[a] This category was allocated by the Student Government Association at Florida State University

[b] The mandatory activity fee prior to the 1974 Florida legislative session amounted to $34.50 for each full-time student in the State University System. The amount allocated to each category funded by the activity fee varied from university to university within the state system.

Two of the major changes in the activity fee allocation breakdown that occurred between fiscal years 1972-73 and 1973-74 were in the categories of publications and athletics. As shown in table 13, the first change involved a 5.8 percent publications activity fee allocation for the fiscal year 1972-73. However, in fiscal year 1973-74 no funds were allocated to this category. The zero allocation for publication was perceived by the Florida State University student newspaper as a reaction by the administration to their move towards independence.[1] The second change was a 7 percent increase in the athletics category. Four of the Inceptors attributed this change to (1) the attitude of Florida State University's administration towards campus athletics and (2) a move by the Florida State University administration to diminish the student government association's authority for the allocation of the activity fee.

The second event which was described by four of the Inceptors occurred at Florida State University during the

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[1] Richard Johnson, "Student Budget Committee Begins Trimming Fat to Stay Within University Allocations," Tallahassee Florida Flambeau (student newspaper), 7 March 1973, p. 1.

spring quarter, 1973. During this quarter Dr. Stephen McClellan, Vice President for Student Affairs, cut sixteen organizations from funding by the student government association.[1] The rationale used by Vice President McClellan for this reorganization was that "the sixteen organizations are oriented towards the academics, and the student government association has shown fiscal irresponsibility in under-budgeting academic activities."[2] The administration proposed funding these sixteen organizations out of the $6.50 segment of the activity fee that was allocated by the student government association.

A third event cited by four of the Inceptors involved a series of three memoranda. The first memorandum, dated August 6, 1973 (see Appendix K), from Dr. Stanley Marshall, president of Florida State University, to Executive Vice President Bernard Sliger, stated:

> As we proceed further with budget allocations for the 1973-74 fiscal year, it becomes increasingly clear that we need a central administrative officer to assume responsibility for preparing recommendations for the allocation of the activity and service fee budgets. The Vice President for Student Affairs is the most logical person to assume that responsibility.[3]

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[1] Clare Raulerson, "SG Sets New Strategy Aimed at Halting Budget Shifts Proposed by VP McClellan," Tallahassee Florida Flambeau (student newspaper), 23 May 1973, p. 1.

[2] Ibid., p. 1.

[3] Stanley Marshall to Vice President Sliger, "Need for a Central Administrative Officer to Assume Responsibility for Allocations of the Activity and Service Fee," 6 August 1973 (memorandum).

In response to the president's memorandum of August 6, Vice President McClellan issued a second memorandum on August 11, 1973 (see Appendix L) to President Marshall.

> The delegation of responsibility to the Vice President for Student Affairs for recommending allocations of the Activity and Service Funds is received with great enthusiasm and with appreciation of the increased responsibility. I plan to assume full managerial responsibility as of the date of your memorandum, August 6, 1973, in the following explicit ways:
>
> a. Direct control over the Summer Quarter 1973 A and S fee revenue and the unallocated reserve
>
> b. Comprehensive review of the A and S fund needs
>
> c. Exercise continuing management of the distribution of all A and S funds.[1]

The third memorandum was distributed August 20, 1973, and affirmed the administrative changes in the authority for the activity fee allocations. The memorandum, which was to the university budget committee at Florida State University (see Appendix M), stated that "President Marshall had assigned central administrative authority for the activity fee to Dr. Steve McClellan, thereby removing the activity fee from the University Budget Committee's purview."[1]

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[1] Stephen McClellan to President Stanley Marshall, "Activity and Service Fee," 13 August 1973 (memorandum).

[2] N. Scott Kent to the University Budget Committee, "Activity and Service Fee Funds," 20 August 1973 (memorandum).

According to four of the Inceptors, prior to the issuance and implementation of the previously cited three memoranda, the activity fee budget was reviewed by a university budget committee. This committee consisted of the president of the student government association, advisory groups from the faculty, and university administrators.

In September, 1973, the "radical revisions in the system for allocating the activity fee were finalized."[2] Table 14 shows the difference between the fiscal year 1972-73 actual activity fee breakdown, the per capita recommendations of the university budget committee, and the per capita recommendations of the vice president for student affairs for the fiscal year 1973-74 at Florida State University.

As indicated by table 14, the single largest dollar reduction occurred in the category of Activities and Organizations, which was allocated by the student government at Florida State University. The university administrative explanation for this dollar reduction was based on the fact that funds were needed for the newly created Student

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[1] N. Scott Kent to the University Budget Committee, "Activity and Service Fee Funds," 20 August 1973 (memorandum).

[2] Clare Raulerson, "McClellan Charged with Fee Breakdown," Tallahassee Florida Flambeau (student newspaper) 25 September 1973, p. 1.

TABLE 14

ACTUAL ACTIVITY FEE BREAKDOWN FOR FISCAL YEAR 1972-73 AND PER CAPITA ACTIVITY FEE RECOMMENDATIONS FOR FISCAL YEAR 1973-74 AT FLORIDA STATE UNIVERSITY

	Actual Activity Fee Breakdown: Fiscal Year 1972-73		University Budget Committee Recommendations: Fiscal Year 1973-74		Vice President for Student Affairs Recommendations: Fiscal Year 1973-74	
	Dollar Amount	Percent of Total	Dollar Amount	Percent of Total	Dollar Amount	Percent of Total
Union	$ 5.70	16.5	$ 5.75	16.7	$ 4.55	13.1
Activities and Organizations .	6.50	18.8	6.00	17.4	3.10	9.0
Student Academic Programs[a] . . .	. . .	. . .	. . .	. . .	1.20	3.5
Recreation	. . .	. . .	. . .	. . .	3.75	10.9
Health Center . . .	15.20	44.1	15.45	44.8	15.20	44.1
Reserve	1.20	3.5	.40	1.1	.80	2.3
Athletics	5.90	17.1	5.90	17.1	5.90	17.1
Total	$34.50	100.0	$34.50	100.0	$34.50	100.0

SOURCE: Stephen McClellan to Members of the Student Senate, "Procedures Attendant to the Current Activity and Service Fee," 3 October 1973 (memorandum; see Appendix N).

[a] Student Academic Programs was the new category that consisted of the sixteen organizations that Dr. McClellan had withdrawn from funding control by the student government association.

Academic Programs and University Recreation categories.[1]

As table 14 shows, the Florida State University student government association's portion of the activity fee had been reduced from $6.50 in the fiscal year 1972-73 to $3.10 in the fiscal year 1973-74. Four of the Inceptors attributed the reduction in the student government association's portion of the activity fee to the new administrative control over the funds. It was also noted that some of the other state universities were experiencing changing budgetary influence over this portion of the activity fee.[2] In 1971, the University of Florida student government allocated $5.20, but in 1974 their portion of the activity fee budget had been reduced to $4.00 out of the total $34.50 activity fee assessed to each full-time student.[3] At the same time the activity fee budgetary allocation to the student government at the University of South Florida was down from $6.50 in 1971 to $2.24 in 1974.[4] While the University of Florida, Florida State University, and the University of South Florida were having their portion of the activity fee budget reduced, the other state universities reported no such reductions. At Florida Technological

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[1] Ibid., p. 1.

[2] John Thomson, "SGs Losing Fiscal Influence," Tallahassee Florida Flambeau (student newspaper), 3 May 1974, p. 1.

[3] Ibid., p. 1.

[4] Ibid., p. 1

University (Orlando) the student government reported that the eight member budget committee which included four students members, handled the total allocation of the activity fee.[1] The University of West Florida's (Pensacola) student council appointed a joint faculty, administration, and student finance committee which budgeted the entire $34.50 activity fee. The finance committee's recommendations were uniformly accepted by the president at the University of West Florida.[2] The University of North Florida (Jacksonville), which had no student government prior to 1974, allocated its activity fee through a general assembly which included 74 student members. The administration at the University of North Florida did not look upon the activity fee as student funds, but rather as the activity and service portion of the overall budget picture.[3] In 1974, the newly formed student government association at Florida International University (Miami) allocated $3.00 of the activity fee to fund the student organizations, social and cultural events, and community service activities.[4] The single largest allocation of the activity fee made by a student government was at Florida Atlantic University (Boca Raton), where the student government association allocated $12.50 out of the total $34.50 activity fee.[1]

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[1] Ibid., p. 1.

[2] John Thomson, "Reasoning Probed for Draining of SG Powers," Tallahassee Florida Flambeau (student newspaper), 6 May 1974, p. 5.

[3] Ibid., p. 5.

[4] Ibid., p. 5.

The final event according to four of the Inceptors occurred during the month of April, 1974, when the student government association at Florida State University requested that the student activities advisory council recommend an increase in the student government association's funding base from $3.10 to $4.10. It was at this meeting that Robert Kimmel, an assistant to Vice President McClellan, proposed that the student government association's allocation be cut from $3.10 to $1.84 and that the difference be put into a special category to provide guaranteed funding for organizations presently receiving money from the student government association.[2] When the student government association representatives asked Kimmel if the student government would control this $1.26, his answer was that "he did not know."[3]

According to four of the Inceptors, it was becoming increasingly obvious to them that the authority for the allocation of the activity fee was being removed from the control of the student government associations in the State

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[1] Thomson, "SGs Losing Fiscal Influence," p. 1.

[2] "Student Control of Budget is Slipping," Tallahassee Florida Flambeau (student newspaper), 15 April 1974, p. 4.

[3] Ibid., p. 4.

University System. These Inceptors stated that David Aronofsky, president of the student government association at Florida State University, in an attempt to reinstate student government's control of the activity fee, met with Chancellor Robert Mautz of the Florida Board of Regents.

It was reported by four of the Inceptors that during April, 1974, Douglas Mannheimer and Jan Pietrzyk, members of the student government association at Florida State University, spoke with James Elens, a staff member in the House Education Committee of the Florida legislature. Mannheimer and Pietryzk wanted to find a member of the House Education Committee who would be willing to sponsor legislation that would give statutory authority for the allocation of the activity fee to the various student governments at the state universities. Elens informed Mannheimer and Pietrzyk that he believed a bill of that nature would not pass in either house and the deadline for filing a bill in the house for the 1974 session had already passed.

After the meeting with the Chancellor and Elens, Aronofsky and Pietryzk were convinced that the only way to correct the administrative control of the activity fee was through an amendment to the Florida Statutes. Aronofsky and Pietryzk decided to draft a piece of legislation before they sought a senate sponsor for their legislation. Part of the original draft of the legislation reads as follows:

> The respective student governments at each of the universities in the state university system shall receive a minimum of 30 percent of all activity and service moneys collected by the state university system, to administer as they see fit, so long as said administration and expenditures of said moneys do not in any way violate the finance codes of other statutes in the state of Florida . . . This act shall not be construed to mean that the presidents of each of the universities, nor any representatives of the presidents, may instruct student governments as to how they might spend such funds, so long as such expenditures are legal. Nor shall this act be construed to mean that any external entity other than the Florida legislature and the governor of Florida, via statute, may willingly tamper with the student government structure of any of the campuses in the system.[1]

Aronofsky and Pietryzk then reviewed the Journal of the Senate to find a senator who was introducing pro-student legislation. Since it was determined that Senator Jack Gordon was introducing a bill to place a student on the Board of Regents during the 1974 legislative session, Aronofsky decided that Gordon would be an appropriate person to introduce the bill. After meeting with Senator Gordon and getting his approval to introduce the bill, Guy Speigelman, a member of the senator's staff, redrafted the legislation. On April 24, 1974, Senate Bill 1004 was read into the Journal of the Senate as follows:

SB 1004--A bill to be entitled an Act relating to student activity fees; amending section 240.095(2), Florida Statutes; providing for the allocation of student activity fees by the student government associations of the several state universities; providing an effective date. Referred to Education and Ways and Means.[1]

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[1] The original draft of this legislation (see Appendix O) was written by David Aronofsky and Jan Pietryzk. Language that is underlined is done in accordance with section 11.07, Florida Statutes, to indicate the addition of new language to an existing statute.

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[1] *Journal of the Senate*, Senate Bill 1004, 24 April 1974.

APPENDIX K

"NEED FOR A CENTRAL ADMINISTRATIVE OFFICER TO ASSUME RESPONSIBILITY FOR ALLOCATIONS OF THE ACTIVITY AND SERVICE FEE." (MEMORANDUM)

147

August 6, 1973

MEMORANDUM

TO: Vice President Sliger

FROM: Stanley Marshall, President

As we proceed further with budget allocations for the 1973-74 Fiscal Year, it becomes increasingly clear that we need a central administrative officer to assume the responsibility for preparing recommendations for the allocation of the Activity and Service Fee. Vice President McClellan is the most logical person to assume that responsibility and, in line with your own recommendation on this, I have asked him to assume that responsibility.

Dr. McClellan will confer with Student Government officers and will receive their recommendations before presenting his recommendations to me. Likewise, he will receive requests and recommendations from the University Health Center and from various other organizations which historically have received portions of the A & S Fee. The requests from the Department of Intercollegiate Athletics will come to me separately since the Director of Athletics reports to me. I will then discuss the A & S Fee budget with you and there may be some aspects of this which you will want to discuss with the Budget Committee; e.g., those allocations to the academic areas since they interface with the I & R budget.

I trust the above agrees with our exchange on this subject on August 6. Thank you very much for your thoughts and recommendations on this matter.

SM/jl

cc: Vice President McClellan
Vice President Peirce

[illegible]
AUG 9 1973
[illegible]

APPENDIX L

"ACTIVITY AND SERVICE FEE" (MEMORANDUM)

THE FLORIDA STATE UNIVERSITY TALLAHASSEE

Division of Student Affairs
Office of the Vice President

August 17, 1973

MEMORANDUM

TO: President Stanley Marshall

FROM: Dr. Stephen McClellan

SUBJECT: Activity and Service Fee

The delegation of responsibility to the Vice President for Student Affairs for recommending allocations of the Activity and Service funds is received with enthusiasm and with appreciation of the increased responsibility. I plan to assume full managerial responsibility as of the date of your memorandum, August 6, 1973, in the following explicit ways:

a. Direct control over the Summer Quarter 1973 A&S fee revenue and the unallocated reserve. The A&S fee revenue collected from the Summer Quarter enrollees and deposited prior to the end of the fiscal year is valued at $189,681. These funds are generally referred to as the "fifth quarter" A&S reserve. This reserve has yet to be distributed. The amount of funds needed to establish a strong, viable athletic program for women will be taken from the fifth quarter funds and will be allocated to Intercollegiate Athletics. The requisite portion of the remaining fifth quarter funds will be employed in conjunction with the campus recreation program.

b. Comprehensive review of the A&S fund needs. The objective of the review will be to assure that allocations are in amounts that best serve the interests of the students and the University, especially as delineated in your memorandum.

c. Exercise continuing management of the distribution of all A&S funds. Accountable management will be initiated through: 1) quarterly reviews of Comptroller distributions of A&S funds, 2) responsibility for all A&S reserve funds except Intercollegiate Athletics, 3) an annual review of the per capita allocations, and 4) the preparation of A&S budget guidelines for the 1974-75 year.

I believe that this memorandum is in full accord with your wishes regarding responsibility for the allocations of A&S funds.

SDMc:nb

cc: Executive Vice President Sliger ✓

APPENDIX M

"ACTIVITY AND SERVICE FEE FUNDS" (MEMORANDUM)

THE FLORIDA STATE UNIVERSITY TALLAHASSEE 32306

Office of the
Executive Vice President

August 20, 1973

MEMORANDUM

TO: University Budget Committee

FROM: N. Scott Kent, Executive Secretary

RE: Activity and Service Fee Funds

Attached are recent memorandums from President Marshall and Vice President McClellan on the above subject. The President has assigned central administrative responsibility for this fund to Vice President McClellan, thereby removing the A&S Fee from the Budget Committee's purview.

NSK/sb

cc: Supportive Staff

APPENDIX N

"ACTIVITY AND SERVICE FEE FISCAL PICTURE" (MEMORANDUM)

THE FLORIDA STATE UNIVERSITY TALLAHASSEE 32306

Division of Student Affairs
Office of the Vice President

October 3, 1973

MEMORANDUM

TO: Members of the Student Senate

FROM: Stephen D. McClellan

The attached material is provided so that members of the Student Senate may have a clear understanding of the facts and procedures attendant to the current Activity and Service Fee fiscal picture. Comparative Activity and Organization budgetary information, as well as a chronological report of individual Activity and Service Fee budgetary actions have been provided in the spirit of bringing clarity to a somewhat complicated set of events.

In addition, you will find included the Recommendations section of the Task Force Report on Campus Recreation. The total report, which comprehends more than 70 pages and several appendices, will be made available upon request. Your reactions to the Recommendations will be important to the development of an effective university-wide recreation program, and I invite you to submit them at your earliest convenience.

SDMc/bd

Attachments

Comparison of Activities & Organizations Budgetary Information

I. Resources Carried Forward	to July 1, 1972	to July 1, 1973	
Cash forward in accounts	$ -0-	$ 3,308	
Encumbrances in accounts	35,060	6,020	
Sweepings to A&O Reserve	75,901	25,000	
Sweepings to A&O Budget	-0-	36,490	
Total	$110,961	$70,818	(63%)*

II. Scope of Operations	1972-73	1973-74	
Full fee paying enrollment	55,000	55,000	
Per capita allocation	$6.50	$3.10	*
A&S earnings @ 55,000	$357,500	$170,500	(47%)

III. Entities in Annual Budget	1972-73			1973-74			
Recreation	24	@	$ 72,625			$ -0-	
Entertaining Arts	11	@	83,915	1	@	24,000	
Student Organizations	20	@	37,850	32	@	61,493	
Student Activities	7	@	56,390	3	@	13,850	
Student Government	11	@	100,735	13	@	107,647	
Totals	73	@	$351,515	49	@	$206,990	(59%)*

IV. Supplemental Money Bills	1972-73		
For Recreation and SAP	8	@	$16,334
For A&O entities	23	@	24,608
Total	31	@	$40,942

* % of 1972-73 data

Chronology of Activity & Service Fee Budgetary Actions

A. 1972-73 Fiscal Year Per Capita Allocations:

Health Center	$15.20
Intercollegiate Athletics	5.90
Activities & Organizations	6.50
University Union	5.70
Unallocated Reserve	1.20
Total	$34.50

B. The University Budget Committee at the May 18, 1973 meeting agreed (Charles Thompson opposing) to develop the 1973-74 budget by adding "Student Academic Programs" as the sixth per capita recipient of the A&S fee. The UBC also agreed that SAP would have cognizance over the following activities formerly funded out of the A&O per capita: Theatre Production; Forensics; and Music Council, which is comprised of the Collegians, Choral Union, University Orchestra, Drama Theatre, Womens Glee Club, Opera Club, University Singers, and University Bands.

C. 1973-74 Budget Developmental Actions:

	per capita requested by recipients	per capita recommended by UBC 5/30/73
Health Center	$16.61	$15.45
Intercollegiate Athletics	5.90	5.90
Activities & Organizations	7.70	6.00
University Union	6.50	5.75
Student Academic Programs	1.18	1.00
Reserve	.73	.40
Totals	$38.62	$34.50

D. On August 6, 1973 President Marshall assigned responsibility for the A&S fee to the Vice President for Student Affairs and asked for a careful review of the previous proposals and to submit recommendations for the 1973-74 per capita for his approval.

E. On September 14, 1973 President Marshall formally advised of his approval of the Recreation Task Force Report and requested that the Vice President for Student Affairs establish a Division of University Recreation as soon as possible.

F. On September 12, 1973 a discussion was held with Charles Thompson and Joe Kershaw with regard to the proposed 1973-74 A&S fee schedule. A similar discussion was held with Vice President Peirce on September 14, 1973.

G. On September 14, 1973 the Vice President for Student Affairs recommended the following per capita allocations be approved by the President:

Health Center	$15.20
Intercollegiate Athletics	5.90
Activities & Organizations	3.10
University Union	4.55
Student Academic Programs	1.20
Recreation	3.75
Unallocated Reserve	.80
Total	$34.50

The recommended 1973-74 per capita allocations envisioned an internal redistribution of resources as a companion action related to changes in functional responsibilities.

1. The 1972-73 A&O per capita was reduced: a) by $1.80 due to the transfer of Circus, Intramurals, and Recreation Clubs to the new University Recreation Division; b) by $1.20 to support the new Student Activity Program; and c) by $.40 additional due to the discontinuance of Student Government budgetary support for the Womens Intercollegiate Athletics, the Cheerleaders, and the Racquettes.

2. The 1972-73 University Union per capita was reduced by $1.15 and allocated to the University Recreation Division in order to provide fiscal support of the Swimming Pool and the Seminole Reservation concurrent with the transfer of the programs to the University Recreation Division.

3. The newly established Student Academic Programs will receive a per capita of $1.20 in order to provide fiscal support for the Music Council, Theatre Production, and Forensics.

4. The newly established University Recreation Division will receive $3.75 of which $1.80 accompanied the transfer of programs from the A&O and $1.15 accompanied the transfer of programs from the University Union. The remaining $.80 (valued at $44,000) is being provided for fiscal support of staff and operating costs.

5. The Unallocated Reserve is established at $.80 per capita as compared to $1.20 in 1972-73. The $.80 is valued at $44,000. Of the $44,000, the amount of $20,480 is earmarked for "Dateline" and $23,520 is being held as a reserve for protection against a decline in enrollments of full fee paying students. The $23,520 will be held in reserve until the midyear budget review cycle and will be distributed at that time if the enrollment projection comes up to the 55,000 level.

H. On September 18, 1973 the per capita recipients were advised formally of the 1973-74 allocations.

I. On September 21, and September 22, I met with Charles Thompson, Joe Kershaw, and Greg Washington and discussed the disposition of the 1972-73 funds available in the A&O accounts and the 1973-74 A&O annual budget.

J. Formal approval action was taken on Bill 71, the A&O annual budget on September 27, 1973.

K. The closing of the 1972-73 A&O accounts, including approval of the encumbrances and cash forward and the disposition of the available balance was accomplished on October 1, 1973.

L. An A&S Fee Advisory Council has been established in order to provide a broad base of input in formulating recommendations and decisions affecting the distribution of the A&S Fee. The principal official from each of the per capita areas is a member of the A&S Fee Advisory Council. The President of the Student Body is the A&O representative.

APPENDIX O

ORIGINAL DRAFT OF ACTIVITY FEE LEGISLATION AND SENATE BILL 1004

A bill to be entitled
An act relating to providing for a minimum funding base out of Activity and Service Fee moneys collected by the State University System; such funding base to be guaranteed to Student Governments in the State University System.

Be It Enacted by the Legislature of the State of Florida.

Section 1. Section ____, Florida Statutes, is amended to read:

The respective Student Governments at each of the universities in the State University System shall receive a minimum of 30 percent of all Activity and Service Fee moneys collected by the State University System, to administer as they see fit, so long as said administration and expenditures of said moneys do not in any way violate the finance codes of other statutes in the state of Florida. The Presidents of each of the universities of the State University System are charged with ensuring that any expenditures of the above moneys are in accordance with laws governing expenditures of state funds. This act shall not be construed to mean that the Presidents of each of the universities, nor any representative of the presidents, may instruct Student Governments as to how they might spend such funds, so long as such expenditures are legal. Nor shall this act be construed to mean that any external entity other than the Florida Legislature and the Governor of Florida, via statute, may willingly tamper with the Student Government structure at any of the campuses in the system. Nor shall this act be construed to mean that Student Governments in the System are to become independent of their respective universities, but rather that this act shall show that the state of Florida has confidence that Student Governments in the State University System are responsible enough to warrant a stable funding base.

Section 2. Each of the Presidents in the State University System shall be empowered to withhold up to 5 percent of the moneys allocated to Student Government for administrative costs.

Section 3. This act shall take effect September 1, 1974, upon becoming a law.

SB 1004

A bill to be entitled

An act relating to student activity fees; amending section 240.095(2), Florida Statutes; providing for the allocation of student activity fees by the student government associations of the several state universities; providing an effective date.

WHEREAS, students enrolling in the state university system are required to pay to the university in which they enroll a student activity fee, and

WHEREAS, the purpose of the student activity fee should be to aid in financing activities, services, organizations, and events that are of interest and benefit to the students of the state university system, and

WHEREAS, the several student bodies of the state university system regularly elect student government associations to administer and coordinate such activities, services, organizations, and events, and

WHEREAS, these student government associations are the duly elected representatives of the students of the several state universities, and

WHEREAS, the students of the state university system are entitled to a voice in the allocation of fees paid by them for student activities, NOW THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 240.095(2), Florida Statutes, is amended to read:

240.095 DEPOSIT OF FUNDS RECEIVED BY INSTITUTIONS AND AGENCIES IN THE STATE UNIVERSITY SYSTEM.--

(2) ~~Student-activity-funds,-including-admissions-to-athletic events,~~ The several state universities are authorized to collect, as a component part of the registration and tuition fees, a student activity fee in the amounts as approved by the legislature. The student activity fee shall be paid into a student activity fund at each state university, and shall be expended for lawful purposes to benefit the student body in general, including but not limited to student publications and grants to duly recognized student organizations, the

membership of which is open to all students at the university without regard to race, sex, or religion, but not to the benefit of activities for which an admission fee is charged to students. The allocation and expenditure of the student activity fund shall be determined by the student government association at each university; provided, that the president of the university may veto any line item within the budget as determined by the student government association, which veto may be overridden by a two-thirds vote of the student government association. The president may not reallocate the funds to any other purpose. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student activity fund and be available for allocation and expenditure during the next fiscal year.

Section 2. This act shall take effect July 1, 1974.

APPENDIX P

HOUSE BILL 2892-CREDIT CARD LEGISLATION

A bill to be entitled

An act relating to the State University System and community colleges, authorizing acceptance of credit cards in payment for goods, services, tuition and fees; providing certain restrictions; providing for the establishment of accounts in credit card banks; amending section 240.042(2) and section 230.754(2), amending section 240.095(2), Florida Statutes; providing for the allocation of student activity fees and services by the student government associations of the several state universities; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (p) is added to subsection (2) of section 240.042, Florida Statutes, to read:

240.042 Board of Regents incorporated; powers, duties, etc.--

(2) The board of regents is authorized and empowered:

(p) The several universities in the state university systen are hereby authorized to enter into agreements and accept credit card payments as compensation for goods, services, tuition and fees providing, however, that no discount shall be given and no service charge assessed; and the board of regents is further authorized to establish accounts in credit card banks for the deposit of credit card sales invoices, further providing however, that use of credit cards shall be limited to the purchase of goods and services offered only by the state university system and not in competition with private business.

Section 2. Paragraph (i) is added to subsection (2) of section 230.754, Florida Statutes, to read:

230.754 Community Colleges; duties and powers.--

(2) In carrying out this responsibility the trustees, after considering recommendations submitted by the community college president, shall exercise the following general powers:

(i) Community college boards of trustees are hereby authorized to enter into agreements and accept credit card payments as compensation for goods, services, tuition and fees; providing however, that no discount shall be given and no service charge assessed; and the community colleges are further authorized to establish accounts in credit card banks for the deposit of credit card sales invoices.

APPENDIX Q

HOUSE BILL 2892(CREDIT CARD LEGISLATION) AS AMENDED TO INCLUDE PROVISIONS OF SENATE BILL 1004(STUDENT ACTIVITY FEE)

A bill to be entitled

An act relating to the State University System and community colleges, authorizing acceptance of credit cards in payment for goods, services, tuition and fees; providing certain restrictions; providing for the establishment of accounts in credit card banks; amending section 240.042(2) and section 230.754(2), amending section 240.095(2), Florida Statutes; providing for the allocation of student activity fees and services by the student government associations of the several state universities; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (p) is added to subsection (2) of section 240.042, Florida Statutes, to read:

240.042 Board of Regents incorporated; powers, duties, etc.--

(2) The board of regents is authorized and empowered:

(p) The several universities in the state university system are hereby authorized to enter into agreements and accept credit card payments as compensation for goods, services, tuition and fees providing, however, that no discount shall be given and no service charge assessed; and the board of regents is further authorized to establish accounts in credit card banks for the deposit of credit card sales invoices, further providing however, that use of credit cards shall be limited to the purchase of goods and services offered only by the state university system and not in competition with private business.

Section 2. Paragraph (i) is added to subsection (2) of section 230.754, Florida Statutes, to read:

230.754 Community colleges; duties and powers.--

(2) In carrying out this responsibility the trustees, after considering recommendations submitted by the community college president, shall exercise the following general powers:

(i) Community college boards of trustees are hereby authorized to enter into agreements and accept credit card payments as compensation for goods, services, tuition and fees; providing however, that no discount shall be given and no service charge assessed; and the community colleges are further authorized to establish accounts in credit card banks for the deposit of credit card sales invoices.

Section 3. Section 240.095(2), Florida Statutes, is amended to read:

240.095 DEPOSIT OF FUNDS RECEIVED BY INSTITUTIONS AND AGENCIES IN THE STATE UNIVERSITY SYSTEM.--

(2) ~~Student-activity-funds,-including-admissions-to-athletic events.~~ The several state universities are authorized to collect, as a component part of the registration and tuition fees, a student activity fee in the amounts as approved by the legislature. The student activity fee shall be paid into a student activity fund at each state university, and shall be expended for lawful purposes to beenfit the student body in general, including but not limited to student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion, but not to the benefit of activities for which an admission fee is charged to students, except for intercollegiate athletics. The allocation and expenditure of the student activity fund shall be determined by the student government association at each university; provided that the president of the university may veto any line item or portion thereof, within the budget as determiend by the student government association legislative body. The president may reallocate the funds to the health service, intercollegiate athletics or current bond obligations. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student activity fund and be available for allocation and expenditure during the next fiscal year.

Section 4. This act shall take effect July 1, 1974.

APPENDIX R

LAWS OF FLORIDA, 74-312(3), (STUDENT ACTIVITY FEE)

Florida Statutes as amended by Chapter 74-312(3)

The several state universities are authorized to collect, as a component part of the registration and tuition fees, a student activity fee in the amounts as approved by the legislature. The student activity fees shall be paid into a student activity fund at each state university, and shall be expended for lawful purposes to benefit the student body in general, including but not limited to student publications and grants to duly recognized student organizations, the membership of which is open to all students at the university without regard to race, sex, or religion, but not to the benefit of activities for which an admission fee is charged to students, except for intercollegiate athletics. The allocation and expenditure of the student activity fund shall be determined by the student government association at each university; provided that the president of the university may veto any line item or portion thereof, within the budget as determined by the student government association legislative body. The president may reallocate the funds to the health service, intercollegiate athletics or current bond obligations. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student activity fund and be available for allocation and expenditure during the next fiscal year.

APPENDIX S

HOUSE BILL 591-ACTIVITY FEE AND SERVICE FEE

A bill to be entitled

An act relating to the state university system; amending s. 240.0951, Florida Statutes, 1974 Supplement; providing for collection of student service fees and providing for determination of such fees and of student activity fees by the Board of Regents, to be approved by the Legislature; deleting certain restrictions on the use of the student activity fund; deleting authority of the university president to reallocate student activity funds to certain areas; providing for allocation and expenditure of student service fees through a student service fund; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 240.0951, Florida Statutes, 1974 Supplement, is amended to read:

240.0951 Student activity fee and student service fee ~~funds~~; collection, allocation, and expenditure.--

(1) The several state universities are authorized to collect, as a component part of the registration and tuition fees, a student activity fee and a student service fee in the amounts determined by the Board of Regents and approved by the Legislature. The ~~student activity~~ fees so collected shall be paid into a student activity fund and a student service fund.

(2) The fees deposited into the student activity fund at each state university ~~and~~ shall be expended for lawful purposes to benefit the student body in general, including, but not limited to, student publications and grants to duly recognized student organizations the membership of which is open to all students at the university without regard to race, sex, or religion~~, but not to the benefit of activities for which an admission fee is charged to students, except for intercollegiate athletics~~. The allocation and expenditure of the student activity fund shall be determined by the student government association or the officially recognized association which represents students at each university, except that the president of the university may veto any line item or portion thereof within the budget as determined by the student government association legislative body. ~~The president may reallocate the funds to the health services, intercollegiate athletics, or current bond obligations.~~ Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student activity fund and be available for allocation and expenditure during the next fiscal year.

(3) The fees deposited into the student service fund at each state university shall be expended for lawful purposes to benefit the student body in general, including but not limited to, services for students which require long-term commitment to permanent staff, facilities, and services, all of which are to serve students at the university without regard to race, sex, or religion. Examples of such services include, but are not limited to, intercollegiate athletics, health service, bonded indebtedness, professional advisors, placement activities, student union, intramurals, recreational services, and certain academic student support services. The allocation and expenditure of the student service fund shall be determined through the normal university budgetary process which shall include an allocation recommendation by the student government association or the officially recognized association which represents students at each university. Such student association shall also be provided with an opportunity to be included in the evaluation process of the services established for students. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student service fund and be available for allocation and expenditure during the next fiscal year.

Section 2. This act shall take effect July 1, 1975.

APPENDIX T

PERMISSION TO QUOTE TELEPHONE INTERVIEWS

Written permission to use this quote in the Doctoral dissertation of Mr. Joseph E. Kaplan at the Florida State University.

Student Lobbying

Student lobbying has been successful nationwide in influencing legislators, administrators, and the press as a result of students' desire to work within the system to voice their concerns. Student personnel administrators in the state of California affirm this fact. Dr. Roger Nudd, Dean of Student Services,[1] California State at Fullerton, in a telephone interview with this investigator, states that students have demonstrated a refined style, research preparation, perseverance, and an ability to articulate the issues.

Roger Nudd

Roger Nudd
Dean of Student Services

Written permission to use this quote in the Doctoral dissertation of

Mr. Joseph E. Kaplan at the Florida State University.

Mr. George Murphy, Vice Chancellor and Dean of Student Affairs,[2] University of California at San Diego, in a recent telephone interview with this investigator described the student lobby in California as the twelfth most effective lobby in the state. As cited in a 1976 legislative survey, student lobbyists influenced California legislators by their presentation, organization, and dedication. Their challenge, according to Murphy, came in 1972 when Governor Reagan, the California legislature, and the public, called upon them "to work within the system." In Murphy's belief, "the purpose of the 1972 directive may have been to co-opt the credibility of the student groups, but it is possible that the University of California Student Lobby (UCSL) is now doing the co-opting of the legislature."

George S. Murphy

George Murphy
Vice Chancellor-Dean of Student Affairs

Written permission to use this quote in the doctoral dissertation

of Mr. Joseph E. Kaplan at the Florida State University

Mr. Richard Gillman, Acting Vice Chancellor for University Affairs, central administration,[1] stated that students, as lobbyists and affected parties in the collective bargaining process, have had an impact on institutional policy and state and federal legislation. This impact has been particularly effective because of the professional, persuasive, sophisticated, and concerned demeanor of the student involved in the lobbying effort. Gillman said the SASU (Student Association of the State Universities of New York) has created an excellent communications network that has affected legislation and the government of the state of New York.

Richard Gillman

Richard Gillman
Acting ~~Associate~~ Vice Chancellor

Written permission to use this quote in the Doctoral dissertation of Mr. Joseph E. Kaplan at the Florida State University.

Dr. Robert Kellett, administrator with the State University of New York (SUNY) at Plattsburgh,[1] through a grant from the Carnegie Corporation conducted research on non-teaching, professional personnel in the collective bargaining process. Kellett, in a conversation with this investigator, pointed out that the direct service gains obtained by students in the 1960's in the area of institutional governance could be eroded at any time by what takes place at the bargaining tables. "Students have a vested interest in what could take place in the event of an institutional collective bargaining agreement."

Robert H Kellett

Dr. Robert Kellett

APPENDIX U

ATTORNEY GENERAL'S OPINION

JUNE, 1975

State of Florida
Department of Legal Affairs
Robert L. Shevin
Attorney General
June 13, 1975

Re: Universities--use of student activity fees for lobbying purposes.
Chs. 74-161 and 74-312, Laws of Florida

This is in response to your request for an opinion upon the following question:

> May a student government association at a state university utilize monies from the student activity fund, derived from the student activity fee paid by students, for lobbying activities to benefit the student body in general, whether directly or by a contract for services with separate corporation or association offering legislative information services and lobbying assistance?

Under former section 240.095(2), F.S., "student activity fees" were specifically included among the funds which were exempt from the requirement that all funds received by a university from whatever source and for whatever purpose be deposited in the state treasury subject to disbursement in such manner and for such purposes as the legislature may by law provide. Pursuant to Ch. 74-312, carried forward as section 240.0951, F.S., the student activity fees

> "...shall be paid into a student activity fund at each state university and shall be expended for lawful purposes to benefit the student body in general, including, but not limited to, student publications and grants to duly recotnized student organizations the membership of which is open to all students at the university without regard to race, sex, or religion, but not to the benefit of activities for which an admission fee is charged to students, except for intercollegiate athletics. The allocation and expenditure of the student activity fund shall be determined by the student government association at each university, except that the president of the university may veto any line item or portion thereof within the budget as determined by the student government association legislative body. The president may reallocate the funds to the health service, intercollegiate athletics, or current bond obligations. Unexpended funds and undisbursed funds remaining at the end of a fiscal year shall be carried over and remain in the student activity fund and be available for allocation and expenditure during the next fiscal year." (e.s.)

In AGO 072-193, this office stated that the funds enumerated at former section 240.095(1)(-(8) are not "state" or "public" funds in the classical sense of the term as defined in 81 C.J.S. States section 132 at 1146.

The student activity funds, much like the presidents' concessions fund, student deposits, etc., are "nonstate" funds under the holding of AGO 072-193. The legislature has expressly granted to the student government association the authority to allocate and expend these funds subject to the university president's veto power. These student activity fees, like the presidents' concession funds, are exempt from the requirement that university system funds must be deposited in the state treasury and disbursed "in such manner and for such purposes as the legislature may by law provide."

The primary qualification on expenditure of student activity fees set forth at section 240.0951, F.S., is that the fund be expended for lawful purposes to benefit the student obdy in general including but not limited to student publications and grants to non-discriminatory recognized student organizations. Again, the determination to allocate and expend has been granted exclusively to the respective student government associations subject only to presidential veto and reallocation in three specific areas.

While no opinion is expressed in regard to the validity of these provisions, it should be noted that they are presumptively valid and any question as to their validity must be decided by the courts in an appropriate proceeding. However, as observed in AGO 072-193, it appears to be well settled that the legislature may validly provide for the collection and administration of certain funds without making them state or public funds subject to constitutional and statutory requirements respecting such funds.

In light of the nature of the funds in question as nonstate funds and the fact that they are kept outside the state treasury and disbursed as the student government associations and to a certain degree the university presidents may direct, I am compelled to conclude that AGO 072-193 and the cases cited therein control the answer to this particular question. Unless and until this matter should be legislatively or judicially clarified, your question is answered in the affirmative.

It should also be noted that I have not overlooked section 11.062, F.S., which prohibits the use of state funds, exclusive of salaries, travel expenses and per diem, by any state employee or other person for lobbying purposes. However, as outlined in the answer above, under the rationale of AGO 072-193, student activity fee funds are not within the purview of section 11.062, F.S. Moreover, I am in agreement with your views expressed to this office on April 4, 1975, that student government associations at the state universities are not executive departments or subdivisions thereof, that a student government officer or employee is not a state employee and that student activity fee monies allocated by a student government but not subjected to a presidential veto are not "appropriated to or otherwise available for use" by an executive department within the meaning of section 11.062, F.S. While such organizations could be characterized as "quasi-public," entities existing within the executive branch of government and in some instances acting in an advisory capacity to the respective university presidents, it does not necessarily follow that because of this, such organizations necessarily are subject to state laws respecting executive departments. See e.g., State ex rel. Watson v. Caldwell, 23 So. 2d 855 (Fla. 1945).

Your question is answered accordingly.

SUMMARY

A student government association at a state university may utilize monies from the student activity funds, derived from the student activity fees paid by students, for lobbying activities to benefit the student body in general, whether directly or by a contract for services with a separate corporation or association offering legislative information services and lobbying assistance.

Sincerely,

Robert L. Shevin
Attorney General

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VITA

Joseph Edward Kaplan was born 13 April 1947 in Baltimore, Maryland, to Abraham Albert and Bertha Schloss Kaplan. He attended elementary school in Maryland and junior and senior high schools in Florida, graduating from Southwest Senior High School, Miami, Florida. He attended Miami-Dade Junior College, North Campus, where he was a member of the student government and co-editor of the junior college yearbook. While at Miami-Dade he was named to Who's Who in Junior Colleges. He completed the degree requirements for the Bachelor of Business Administration from the University of West Florida in 1969. While at the University of West Florida, he was president of the Omega College student governmnet and editor of the first university yearbook--_Aries_. While at the University of West Florida, Mr. Kaplan was named to Who's Who in Small Colleges and the University of West Florida's Hall of Fame. Mr. Kaplan received a second Bachelor's degree in Psychology from Florida International University in 1974. While at Florida International University, he was active in student government and was twice listed in Who's Who Among Students in Universities and Colleges. He was awarded the Doctor of Philosophy degree in the Program of Design and Management in Postsecondary Education from the Florida State University, Tallahassee, Florida, under the direction of Melvene Draheim Hardee in August, 1977.

From 1970 to 1975, Mr. Kaplan served in a management capacity with Federated Department Stores in Dade County, Florida. From 1972-74, Mr. Kaplan completed a two year educational psychology internship with work at the South Central School District, Sunland Training Center, the Psychiatric Center at Jackson Memorial Hospital, and the Children's Center in Dade County, Florida. From 1975-76, he served as a graduate assistant in the Higher Education department at Florida State University, supervised by Dr. Melvene Hardee. During the spring of 1976, Mr. Kaplan served as a graduate intern in the Florida Department of Education under the supervision of Dr. Joseph Olander. From July, 1976, until August, 1977, he served as an administrative assistant in the Florida Department of Education, working with Commissioner Ralph D. Turlington, Deputy Commissioner Roger Nichols, and Dr. Joseph D. Olander.

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